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2003-12-01

## University of San Diego News Print Media Coverage 2003.12

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**USD News Media Coverage  
December 2003**

## USD Print Media Coverage December 2003

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**Office of the President  
Board of Trustees**



## Local News in Brief

### **Msgr. Dillabough's Role Expands at USD**

After conducting an extensive nationwide search, Msgr. Daniel J. Dillabough has been appointed USD's Vice President of Mission and University Relations. As Vice President of Mission and University Relations, Msgr. Dillabough will lead USD's institutional advancement programs and Communications and Marketing Office. He will also continue his executive responsibilities in support of the university's mission. "With his long association with USD, Msgr. Dillabough brings a deep understanding of USD's mission and goals for the future," said President Mary Lyons.

## **Office of Alumni Relations**



## San Ysidro Teacher Honored for Humanitarian Efforts

*Ray Lozada Receives Bishop Buddy Award*

La Prensa San Diego

Dec. 12, 2003



*Ray Lozada and USD President Mary E. Lyons. Photo credit: Gary Payne.*

A San Ysidro teacher who has helped troubled students succeed was honored with the Bishop Charles Francis Buddy Award at the University of San Diego Dec. 6. The award, named for one of USD's co-founders, is presented each year to a USD graduate in recognition of extraordinary contribution and commitment to humanitarian causes.

As author of the school's "Challenge Program," Ray Lozada has empowered low-performing students with disciplinary and family problems to recognize their academic potential. His class has one of the school's highest attendance ratings, a nearly 100 percent graduation rate and a waiting list.

Helping students who have previously failed to learn to attend school regularly, do homework and behave responsibly is often a struggle but one that pays off in the end, Lozada says. "I've found that the power of praise is enormous. If you tell students you believe in them, they start to believe in themselves."

"Ray teaches his students that they are ultimately the authors of their own lives," says Jack Kelly, director of Alumni Relations at USD. "We are proud to honor him for the commitment and dedication he has brought to the classroom."

Lozada, who also coaches youth sports, says he was in-

spired to become a teacher by his grandfather, a single father who taught himself English and sent two daughters to college. Both Lozada's mother and aunt went on to become teachers.

Lozada was named Teacher of the Year for the San Ysidro School District in 2000 and was one of 10 finalists for San Diego County Teacher of the Year. He has been named Teacher of the Year three times at San Ysidro Middle School, most recently in 2001. He was recognized as one of the 50 People to Watch in 2001 by "San Diego Magazine." He earned a bachelor's degree in anthropology from USD in 1984 and a master's degree in education from the United States International University in 1988.

The University of San Diego is a Catholic institution of higher learning chartered in 1949; the school enrolls approximately 7,000 students and is known for its commitment to teaching, the liberal arts, the formation of values and community service. The establishment of the Joan B. Kroc School of Peace Studies will bring the University's total number of schools and colleges to six. Other academic divisions include the College of Arts and Sciences and the schools of Business Administration, Education, Law and Nursing and Health Science.

**KEEPING UP**

• **Teacher honored:** Ray Lozada, a teacher in San Ysidro, was honored with the Bishop Charles Francis Buddy Award for his work with troubled students. Through his Challenge Program he has helped low-performing students who struggle with disciplinary and family problems recognize their academic potential.

• **Ecumenical Council Tribute Dinner:** Four people will be honored Jan. 21 by the Ecumenical Council of San Diego County at its annual tribute dinner. The honorees are: Bob Brower, president of Point Loma Nazarene University; Bill Creasy, who teaches an ecumenical Bible study; Jim Laslavic, sports director for NBC 7/39, and Robert McNeely, vice president of Union Bank of California. In addition, the event will honor longtime board member Mitch Prior and his wife, Marilyn. The dinner will be held at the Town and Country Hotel in Mission Valley; contact the Ecumenical Council: (619) 238-0649.



## DAILY TRANSCRIPT

SAN DIEGO, CA  
MONDAY 15,000  
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INFORMATION SERVICES

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# Degheri Alumni Center nearing the finish line at USD

By KEVIN CHRISTENSEN  
*The Daily Transcript*

General contractor **Douglas E. Barnhart Inc.** and architect **Wheeler Wimer Blackman** are nearing completion of the University of San Diego's new **Degheri Alumni Center**.

The steel structure, located on the former site of Harmon Hall, will measure 30,425 square feet in three stories and provide a home away from home for USD alumni.

The \$6.3 million facility will feature USD's 16th century Spanish Renaissance architecture. The project, nearly 80 percent complete, is slated for completion in the first part of December.

USD officials envision an alumni "living room" with a fireplace. An open-air courtyard is also planned, along with an outside rear patio and conference room.

The center will also become home to the campus hospitality center, alumni relations office, parent relations office, fund-raising office, and communication and marketing departments.

The center is named after alumnus and investment banker Bert Degheri, whose family foundation donated funds for the project.

Barnhart broke ground on the

project in January and the grading and earthwork were completed by the end of the month. In March, foundation work began.

The structure is built; interior plaster and drywall work was recently completed.

Currently, the team is working on painting, cabinet installation, installation of the electrical and mechanical systems and installation of ceramic tiles in the bathrooms.

The majority of the interior will begin carpeting soon.

With the 16th century architecture, in both the exterior and the inner courtyard area, there is a combination of precast window surrounds.

Subcontractors on the project include **Advance Plumbing** from El Cajon for plumbing work; **Allen & Hein** from San Diego for painting; **Brady Co.** from La Mesa for lath, plaster, drywall, acoustic ceiling and doors; **Brian Cox Mechanical** from Poway for heating; ventilation and air conditioning; **Challenger Sheet Metal** from San Diego for sheet metal; and **Concrete Building Systems** from Bonsall for concrete work.

Additional subcontractors include **Courtney Waterproofing**

from Costa Mesa for waterproofing; **Division 8** from Lemon Grove for aluminum windows; **Dynalectric** from San Diego for electrical work; **Great Western Tile** from San Diego for tile; **Insulcom** from Escondido for insulation; **International Iron** from San Diego for structural and miscellaneous steel; **J.R. Hawkins Construction** from El Cajon for framing; **J.P. Witherow Roofing** from San Diego for clay tile roofing; **Litestone Concrete** from El Cajon for precast; **McIntyre Co.** from Pomona for metal roof decking; **Modern Masonry** from El Cajon for masonry work; **Otis Elevator** from San Diego for elevators; and **Paul Loska Surveying** from Ramona for

surveying.

More subs include **Pullman Engineering** from San Diego for site utilities; **Quality Reinforcing** from Poway for rebar; **R.W. Smith & Co.** from Costa Mesa for food service equipment; **REC Construction** from Lakeside for precast installation; **Schmidt Fire Protection** from San Diego for fire sprinklers; **Sierra Pacific West** from Encinitas for grading; **Spooner's Woodworks** from Poway for cabinetry; **The Brickman Group** from San Diego for landscaping; and **Workplace Services** from Escondido for carpeting.

kevin.christensen@sddt.com  
Source Code: 20031031tdh





## **College of Arts and Sciences**

SAN DIEGO UNION-TRIBUNE

SAN DIEGO, CA  
MONDAY 380,723  
NOV 24 2003

EASTERN PENNSYLVANIA  
BUSINESS JOURNAL

BETHLEHEM, PA  
WEEKLY 10,200  
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STATEN ISLAND ADVANCE

STATEN ISLAND, NY  
THURSDAY 67,033  
DEC 11 2003

FLORIDA NEWSPAPER

MIAMI, FL  
WEEKLY 10,000  
DEC 10 2003

# Timely college courses delve into online ethics

By SUZANNE CHONEY  
Business Journal Columnist

4154

In Lawrence Hinman and Beth Simon's class at the University of San Diego, few students fidget or nod off. The course is called Computer Ethics. The topics include privacy, security and piracy — many of the same issues that concern all of us.

Hinman, a professor of philosophy, and Simon, an assistant professor of computer science, teach the class together. They are not as odd an academic coupling as one might think at first.

Hinman knows quite a bit about computing. He is not only an author and the head of USD's Values Institute, has put together several Web sites dealing with ethics and philosophy.

Simon, who is interested in such things as "the interaction of compilers, architectures and program tuning for performance," sets aside ultra-technical lingo in this class to explain to students how bits and bytes affect their daily lives.

"I've been wowed many times by what Dr. Simon has brought to the table when it comes to the issue of data mining," says Zachary Puca, a junior majoring in business administration.

Melissa Henkel, a senior majoring in business and art, has found the class fas-

inating and frightening. "I have been surprised by the amount of information that's out there about us," she says.

Some in this honors course are computer science majors; others include biology and accounting. Some are computer-literate; others are not.

All of them, though, have begun to understand that the technology that many of them grew up with, the personal computer, offers choices — and consequences.

## Nationwide interest

Such courses are beginning to crop up around the nation. A recent class was about the pros and cons of electronic voting.

"This is a no-brainer," I thought, sitting in the class as a guest.

"The students are going to favor it. How could they not? They're more comfortable with a mouse than a punch card."

But I was wrong.

As Hinman and Simon guided them through the issues, the students had many concerns.

They discussed the Nov. 4 election in Boone County, Ind., where electronic vote-counting equipment tabulated 140,000 ballots — when there are fewer than 19,000 registered voters in the county. Whoops.

They talked about whether votes would be encrypted and protected. They worried about who could gain access to voting information.

Also, they wondered, what sort of identification would be required in order to vote electronically? And what would prevent someone from misusing a person's identity to vote, or worse?

Everyone agreed that the very best software and equipment would be needed.

### **Issues of trust and confidence**

Noted Simon, "All of us will want some assurances that the algorithms that are used for vote counting are right," and that perhaps that information should be shared "so people can feel trust and confidence in the system."

However, she said, "Maybe we don't want to publish those algorithms if someone can use that information to hack into the system" and alter votes. Heads nodded in agreement.

One student offered that electronic balloting might be a way of getting more people interested in voting.

"Do you want simply more votes or more informed votes?" Hinman asked.

Sophomore Cian O'Leary said the "old method seemed to work well until the Florida chad fiasco."

Maybe the nationwide push in favor of electronic voting has been an overreaction to that, he said.

A good point, Cian. Maybe there should be yet another class offering: Computers, Ethics and Politics.

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# Gaslamp, past and present

With next year's 30th anniversary of the founding of the Gaslamp Quarter Association approaching, the business-promotion group has issued the best guide so far to the 16½-block nationally registered historic district downtown.

Published by Arcadia, the 128-page paperback "San Diego's Gaslamp Quarter" (\$19.95) is the third "Images of America" volume devoted to San Diego places, following books on Lakeside and Pacific Beach issued last year.

The Gaslamp Quarter Association's Stephen Silke gathered the photos and collected background for the captions with the assistance of the Gaslamp Quarter Historical Foundation and San Diego Historical Society.

The book offers historic images of Gaslamp's many guises — from its rough-and-tumble pioneer days in the 1870s down through its seedy, X-rated, red-light nadir in the 1960s to its renaissance from the late-'70s on.

Unlike other "Images of America" titles, this one does more than just present photos and captions — of which there are many. It also includes a walking tour of 30 key Gaslamp sites.

Each two-page spread shows photos of a building soon after its completion, its pre-restoration state and its latest incarnation after usually millions of dollars of reinvestment.

Perhaps the most striking example of these mini-histories is the Old City Hall at 664 Fifth Ave. A 1901 photo shows it festooned with patriotic bunting, fitting the seat of municipal government in San Diego. A 1980 photo shows it covered over with stucco, a common "improvement" to historic buildings after World War II. The third image shows the building fully restored (sans government offices).

As the collection illustrates, not all Gaslamp landmarks made it through history unscathed. The five-story Pierce-Morse Building at Sixth and F originally sported a stunning corner tower and was reduced to one story by 1956.



San Diego health officer Walter Bellon (second from left in bottom row) helped clean up the brothels and gambling halls in what was originally called the Stingaree. A trained marksman, Bellon posed here with the San Diego Rifle and Revolver Club. San Diego Historical Society Photo No. 12702-3

There are other startling differences between then and now. The waterfront was a bustling but dirty and dangerous place in the 19th century. Establishments like the First and Last Chance Saloon, Bucket of Blood and other bars greeted newcomers.

Brothels like the Canary Cottage and Golden Poppy thrived in what was originally called the Stingaree. (You could get stung faster from loan sharks and con men in the Stingaree than from the stingrays in San Diego Bay, they used to say.)

Also pictured is Bum, the town dog of the 1880s, who supposedly became addicted to booze but was beloved by all.

Besides buildings and Bum, the guidebook includes photos of people at work and at play and going about business that in the 21st century seems

thoroughly quaint.

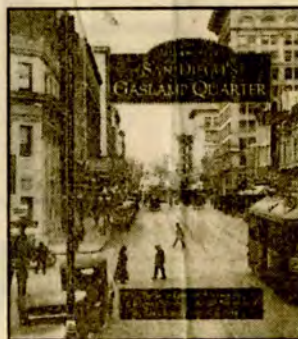
For example, the San Diego Machine Co. at 743 Fourth Ave. advertised "machine work" and "pattern making" in a 1921 photo. Today, at the same location, Le Travel Store sells maps, guidebooks and travel gear to globe-trotting tourists.

About the only 19th century business still going strong is the venerable San Diego Hardware Co., founded in 1892 and in its present location at 840 Fifth Ave. since 1922.

Michael J. Stepner, dubbed by many the "father" of Gaslamp for his tireless efforts while in

the city Planning Department to push for the district's revitalization, supplies an introduction with historical context and insight.

"The Gaslamp Quarter is a national model," Stepner wrote, "demonstrating how public-private partnerships can re-





vitalize older commercial areas."

In addition to this picture book, a more detailed guide to the Gaslamp by two area historians is being reissued this month. Published by Tecolote Publications (\$15), the 85-page paperback, "San Diego's Historic Gaslamp Quarter: Then and Now," details the history of 69 buildings and includes a foldout map to orient readers. Susan Carrico Bugbee and Kathleen Flanigan self-published the first edition in 1989 and have made numerous revisions along with a handsome redesign.

There are more words than pictures in this treatment, and as a visual bonus, the authors include amusing snippets from period advertisements from newspapers, city directories and other sources.

For example, The Acme saloon at Fifth and Island avenues advertised itself as including "Reading rooms, elegant bar, reception rooms, billiard parlor, magnificent oil paintings. Newspapers from all Eastern States on file."

In place of the original foreword by University of San Diego professor Ray Brandes, there is a message from Milford Wayne Donaldson, Gaslamp's pre-eminent preservation architect.

"Take a tour through the eyes and perspective of the early pioneers as told by two of San Diego's most beloved historians and soak up the architectural ambience of the neighborhood," Donaldson wrote.

"San Diego's Gaslamp Quarter" will be available at area bookstores, the San Diego Historical Society's museum gift shops and the Gaslamp Quarter Association, 614 Fifth Ave., Suite E. Information from the association: (619) 233-5227. The publisher's Web site is [www.arcadiapublishing.com](http://www.arcadiapublishing.com).

"San Diego's Historic Gaslamp Quarter: Then and Now" will be on sale at some of the same locations and via the Internet at [www.amazon.com](http://www.amazon.com) and [www.barnesandnoble.com](http://www.barnesandnoble.com). Information from Tecolote Publications: (619) 222-6066.

- ROGER M. SHOWLEY

## LOS ANGELES TIMES

LOS ANGELES, CA  
SUNDAY 1,396,045  
DEC 21 2003

## LOS ANGELES TIMES (NATIONAL EDITION)

LOS ANGELES, CA  
SUNDAY 20,000  
DEC 21 2003



**Burrelle's**  
INFORMATION SERVICES

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### South Africa gets a bad rap

REGARDING "Facing  
Risks in Johannesburg"  
[Letters, Nov. 30]: My  
mother is very astute, and from  
her I picked up many pearls of  
wisdom. One adage she taught

me was "clean up your own back-  
yard." What this saying suggests  
is, before criticizing another's  
situation, critically examine your  
own.

When reading comments like  
letter writer B. Chris Brewster's,  
the first thing that comes to  
mind is clean up your own back-  
yard. If tourists from most of the  
world's industrialized nations  
were to employ his calculus when  
making travel plans, the travel  
and tourism sector of the U.S.  
economy would crumble. For ex-  
ample, Chicago, a great city and  
premier tourist destination, has  
a murder rate nearly 10 times  
that of London (20.6 per 100,000  
compared to 2.1 per 100,000).  
The murder rate of Washington,  
D.C., is 42.9 per 100,000, more  
than 20 times that of London  
and more than 2.5 times greater  
than Johannesburg's. Also, 2002  
FBI statistics indicate that  
about 1 in every 200 people in the  
U.S. was the victim of violent  
crime last year; 1 in 24 was the  
victim of crime in general.

The U.S. also boasts the high-  
est incarceration rates in the  
world with 1 in every 37 adults  
having served time behind bars.  
Currently, we house about 2 mil-  
lion citizens in our jails and pris-  
ons, and upward of 6 million  
Americans are under correc-  
tional supervision.

By extension of Brewster's  
reasoning, when making vaca-  
tion plans, residents of other in-  
dustrialized nations should not  
even consider visiting the U.S.

The U.S. has much to safely offer  
visitors from around the globe,  
as does South Africa, Russia,  
Australia or any country with a  
relatively high rate of crime.

A. RAFIK MOHAMED  
Professor of sociology and  
criminology  
University of San Diego



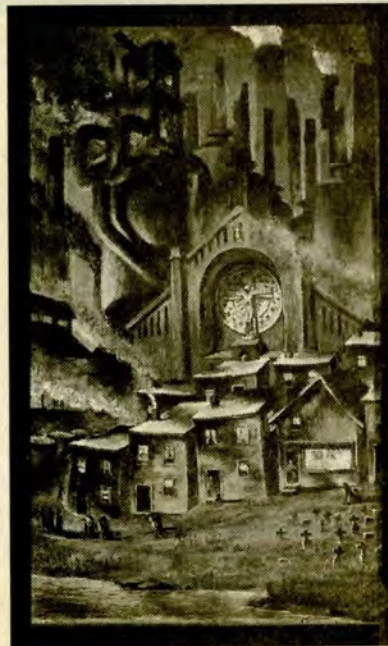


## *Sternberg's work on display at USD*

The University of San Diego is exhibiting work by artist Harry Sternberg at Founders Gallery, Founders Hall and the Fine Arts Galleries, Kroc Institute for Peace & Justice through Feb. 28. The show is free and open noon to 4 p.m. Tuesday, Wednesday, Friday and Saturday and noon to 6 p.m. Thursday.

"Harry Sternberg: Paintings, Drawings and Prints" includes Sternberg's Tallit Series — work depicting Jewish men and boys at prayer or studying the Torah. Each wears a four-cornered prayer shawl, called a tallit.

Sternberg, born in New York City in 1904, was a painter, muralist, lithographer and educator. From 1959 to 1969, he served as head of the art department in the Idylwild School of Music and Art at the University of Southern California. Sternberg lived in



Escondido from 1966 until his death in 2001.



San Diego Jewish Press Heritage—**Friday, December 19, 2003**

### **Around the Town**

● Jewish-themed art works of the late **Harry Sternberg** will be exhibited at Founders Gallery, Founders Hall and the Fine Art Galleries of Kroc Institute for Peace and Justice on the USD campus, Tuesdays through Saturdays until Feb. 28. **Elijah Minyan** leader **Rabbi Wayne Dosick**, who teaches at USD, has provided some of the commentaries on Sternberg's "Tallit Series."

NORTH COUNTY TIMES  
(ESCONDIDO EDITION)

ESCONDIDO, CA  
FRIDAY 93,801  
DEC 26 2003



**Burrelles**  
INFORMATION SERVICES

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# It could be better than the original

When it comes to art, **Scott Kuhnly** is usually holding the paintbrush. On Dec. 19, though, he was facing out from the canvas.



**JEFF  
FRANK**

**Kuhnly** has long had a studio in the Arcade building in downtown Escondido. His Valley Center home, however, was destroyed in

the Paradise fire.

Among the artworks lost in the fire was a portrait of Kuhnly painted by Escondido artist **Doug Jones**. Kuhnly mentioned the lost portrait to **Bruce Beers** and **Susan McLaughlin** at the Lillian Berkley Gallery. Without Kuhnly's knowledge, McLaughlin commissioned Jones to redo the portrait from a picture of the original.

The job isn't quite done, but Jones and McLaughlin gave the work in progress to Kuhnly last week at the gallery. The portrait needs a few final touches that Jones can only provide using Kuhnly as a live model, said Beers.

"It took (Kuhnly) very much by surprise," Beers said.

**People:** A large collection of the works of the late **Harry Sternberg** are being exhibited through February at the University of San Diego. The renowned artist lived in Escondido for 35 years before he died in November 2001. Much of the work has not been displayed, said **Mary Sternberg**, the artist's widow. All of his religious works, Sternberg's "Tallit" series, are being displayed in one of the three exhibit halls at USD. The exhibit includes more than 100 pieces, and all of them are for sale, said Mary Sternberg. ... After four years with the American Red Cross, the last few at the regional office in Kearny Mesa, **Tina Pope** has a new job, closer to home. She began her work as development manager for the Palomar Pomerado Health Foundation last week, working out of the Graybill Medical Center in Escondido.

Contact staff columnist **Jeff Frank** at (760) 740-5419, fax (760) 745-3769 or jfrank@nctimes.com.





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# Pottery collection acts as strong bond to Indian history

By Amy Horton  
COMMUNITY NEWS WRITER

4154

**C**ARMEL VALLEY — He is not an American Indian, nor are his ancestors. He never majored in American Indian studies and did not take college classes about their heritage.

Yet Bob Burt's connection to the culture is strong.

He first experienced it in his 20s when he lived in Albuquerque, N.M. Driving along the Rio Grande, the beauty of the pueblos inspired him. He was captivated by the architecture, the lifestyle of the people and especially the surrounding spirituality.

It spoke to him.

Burt's enthusiasm led him to collect pottery by American Indians, and now he has more than 130 pieces in his Carmel Valley home.

"It's one of the finest art forms in this country," he said.

Burt's diverse collection is all hand-made, dating from A.D. 800 to contemporary times. The pottery is from pueblos and reservations in the Southwest, mainly New Mexico, Arizona and Colorado, but some are from ancient cultures along the Mississippi River.

Each piece represents a story. Through conversations and visits with American Indians, Burt has learned that history.

"They want people to know how important it is to preserve their culture, history and their spiritual way of life," he said.

Burt knows each one of his pottery pieces like it is a member of his family. He knows what the pottery was used for, where it was found, when it was made and which pueblo or tribe created it.

He said details make the pottery special, like the bowls that have a kill hole punched through the bottom and were buried with the dead; the contemporary pots signed Nampeyo Fannie and others Fannie Nampeyo; and the bowls with notches etched on the edge, called rim kills.

Burt, a businessman, is continuing his anthropology education on Tuesdays at the Mason Street School — the old, one-room school house — in the Old Town section of San Diego. He said he enjoys the class by Grossmont College instructor Chuck Wallace, who covers interesting topics, like excavated mural art.

Many share Burt's passion. He is one of several charter members of the University of San Diego Council for American Indian Arts. The group works to educate the public about American Indian arts as well as encourage funding for the university's hands-on teaching collection. It also is involved in coordinating the American Indian Celebration in April at the university.

While Burt has no immediate plans to turn his home into a public museum, he likes to host friends and colleagues who share his interest in artifacts.

"They enjoy coming here, and I enjoy having them," he said.

To learn more, visit USD's Council for American Indian Arts at [www.sandiego.edu/indianfestival](http://www.sandiego.edu/indianfestival).



Standing at one of his display cases full of Indian pottery, Bob Burt held his St. John's bowl from St. John's, Ariz., which dates back to approximately A.D. 1250. *Charlie Neuman / Union-Tribune*



# THE YEAR IN REVIEW

## Too many important issues left unresolved

By Carl J. Luna

**A**merica's Finest City goes into the new year with a choking cloud of scandal, ash and controversy swirling over its collective head. Between a defecting football team, supermarket strike, civil disaster, political scandal, continuing skyrocketing housing costs and, to top it off, raging flu, 2003 was a most challenging year.

For the most part, San Diegans endured these various travails with their usual aplomb and rose magnificently as a community to face the fall's flame-engulfed winds of adversity. Our elected leaders, however, were AWOL for much of the year, distracted by investigations and indictments, blindsided by hardball negotiating tactics (If the Chargers' offense were half as aggressive as the front office the franchise would have at least made the playoffs!) and caught flat-footed — and hot-footed — by the worst fires in San Diego history. Ultimately, the clouds of 2003 may well usher in a 2004 electoral storm that sweeps one or more of our elected officials from office.

Luna is a professor of political science at San Diego Mesa College.

The most important movers and shakers on the 2003 political scene were actually non-elected.

An ambivalent billionaire football team owner tied the city in knots for most of the year, playing on again, off again over a new stadium deal, only to drop a legal nuke at year's end. The city entered the year optimistic that a deal would be

## THE YEAR IN SAN DIEGO

reached with our most recalcitrant sports franchise; an unexpected legal filing in Los Angeles later, and all bets are now off. One might defend the right of rich team owners to look into options for making a little more cash in greener pastures but, coming on the heels of the devastating Cedar fire, it was one more blow to the city's collective morale. And one more blow to the leadership credentials of Mayor Dick Murphy as point man on keeping San Diego a major league town and future Super Bowl venue.

Meanwhile, a Vegas strip club owner single-handedly accomplished what Republicans have failed to do in recent elections: blunt the rising influence of a Democratic majority on the City Council by hamstringing three of the council's Democratic politicians. Ralph Inzunza began the year as a City Hall powerhouse and Michael Zucchet and Charles Lewis as promising rookies on the council; now all three must worry about possible trips to the hoosegow courtesy of U.S. Attorney Carol Lam.

Enter another local non-elected mover and shaker, our feisty — and perhaps tad ambitious? — federal attorney and what well may be the big news story of 2004. Will she prove her case of corruption and venality and, in so doing, deliver to San Diego its biggest bona fide political scandal in a century? The evidence made public against the three council members so far seems a bit on the circumstantial side, but if the federal prosecutors drop new evidentiary bombshells in the new year, these trials will turn into the local legal event of the young century.

In any case, the dark cloud of impropriety that has hung over the City Council for most of

SEE San Diego, G4



## Issues left unresolved

2003 will continue to do so for months to come. Don't look to City Hall to clear its collective head of the smoke from this scandal until both the trials and the mayoral election are resolved.

Which brings us to a lost hunter who lit a signal fire and sent half the county — and also, possibly Dick Murphy's chances for re-election — up in smoke.

Our city and county firefighters responded heroically to the crisis, and San Diegans were collectively up to the challenge of caring for the thousands of displaced and tackling the job of cleaning up and starting over. But the ash hadn't even settled before the political fallout began. The decision of the city manager to purge the fire chief's recommendation for funding a full-time firefighting helicopter blew back to tarnish the mayor and council with accusations of ill-preparedness. The subsequent failure of Murphy and the council to act decisively — either to secure the copter funding or move to dump Michael Uberuaga as a sacrifice to public discontent — helped scatter what public good will they had re-

ceived in the aftermath of dealing with the blazes.

Indeed, the fact that Murphy ends the year facing his 2000 rivals as challengers to his re-election at all is testament to how bad a year 2003 was for him. Susan Golding went into her re-election bid in 1996 without serious challenge — Ron Roberts, who challenged her in '92 sat the re-election race out — and won a decisive first round victory. Murphy is not so fortunate.

His "now I'm in, now I'm not" performance last spring only underscored an indecisiveness that seemed to be the mayor's modus operandi all year. When the City Hall scandal broke, Murphy first distanced himself, then embraced the accused council members. After the fires, he argued the city needed to maintain a full-time fire-suppression helicopter, but defended the fiscally over-cautious city manager who nixed the copter in the first place. And in dealing with the Chargers the mayor has alternated between angry populist condemning the team's greed in desiring to leave and anxious supplicant desperate for some formula to entice it to stay. Meanwhile, he seemed unable to move forward on any comprehensive agenda.

Yet, despite the mayor's vulnerabilities, we are left with a mayoral race that is a retread of 2000. Indeed, the biggest political legacy of 2003 may

well be precisely who was not running for mayor at year's end — no prominent Latino or African-American, no woman, no major Democrat — leaving San Diegans to choose among three "political flavors" with less contrast than vanilla, cherry vanilla and French vanilla. And with Cheetahgate leaving three rising Democratic stars on injured reserve — if not permanent disability — San Diego seems bereft of a cadre of up and coming politicians with bold visions for the coming year and beyond.

While the coming mayoral race may be a bit lackluster, the city attorney contest may well give us some real sparks, thanks to perennial boat-rocker Mike Aguirre's December entry into the race. Termed-out Casey Gwinn had thought to pass the baton to his executive assistant, Leslie Devaney, without much fanfare. Howard Wayne's departure from the race would have left only fellow technocrat, Deputy City Attorney Deborah Berger, as competition to the heir apparent. Aguirre's candidacy throws a monkey wrench into such plans.

Fresh from his bruising loss in the 2002 DA's race, the man often dismissed as a gadfly by his detractors has positioned himself for yet another outsider insurgency, but this time Aguirre may have finally found a race he can win — and the relatively staid City Attorney's Office may never be



the same again. Given the tendency of the Murphy administration to pursue public business behind as many closed doors as possible (example: the Chargers negotiations) with the willing contrivance of the current city attorney and public dissatisfaction with such policies, Aguirre's promise to let the light shine on the City Attorney's Office may actually resonate with the voters looking for some new, independent voices at City Hall.

All was not fire and brimstone this year; there were a number of bright spots beneath the gloom. The new downtown ballpark continued to rise from the former blight of East Village, with new condos and commercial properties a plenty sprouting around it. Now if only the city would develop an adequate traffic and parking control plan for the area before the first yells of "play ball" are heard come April.

Meanwhile, as the city mourned the passing of our local uber-philanthropist Joan Kroc, it could rejoice in her final acts of generosity. Her parting gifts of tens of millions of dollars to numerous community institutions are a largess that will benefit San Diego for decades to come.

Surprisingly, some of the hottest button issues from 2002 seemed to melt away before the flames of 2003. Remember the heated race for DA with Bonnie Dumanis' dramatic triumph over Paul Pfingst? Remember the big

battles for school board as a plebiscite on Alan Bersin's master plan? Remember the new regional airport authority embarking on its bold quest to end 40 years of searching for an alternative to Lindbergh? Remember the affordable housing task force created over a year ago to address the stifling problem of stratospheric rents and home prices?

All disappeared under the soot of 2003. Dumanis has faded from the scene as DA's always do between elections, the master plan has been shoved to the back burner by the state budget disaster, the airport authority keeps jousting at the windmills of Miramar and the housing task force seems DOA.

This was the legacy of 2003: far too many important issues left unresolved. Meanwhile, rather than offering new visions for the future, the mayoral candidates are positioning themselves to close last year's barn doors, from the Chargers to the fires to City Hall integrity — or lack, thereof. Perhaps in 2004, once the electoral dust settles, the scandal trials are dispensed with and a good winter's worth of rain and a nice spring bloom settles some of the ashen backcountry, a shift in our political winds may blow these distractions out to sea and allow San Diegans and their elected officials to focus on things we need to tackle to keep us America's Finest, if a bit sooty, City.

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## Report

# Committees of the Association

Appointments to standing committees of the Association are ordinarily for a term of three years; the terms of approximately one-third of the members of each committee expire with the adjournment of each annual meeting. By Council action in June 1977 (as amended in November 1988), appointments to a "second consecutive three-year term shall be occasional; a third consecutive three-year term shall be rare." An appointment may be extended beyond nine consecutive years only in extraordinary circumstances and subject to ratification by the Executive Committee and the Council. Appointments are made by the president of the Association, who has the advice of members of the Association, the general secretary, and other members of the staff. The general secretary assigns members of the staff to assist the committees in their work.

A list of committee appointments follows, with the date of expiration given after each name. In addition to standing committees, there are special committees whose members serve ex officio or are appointed by the president according to regulations established by the Council. The officers of the Assembly of State Conferences and of the Collective Bargaining Congress are elected by those bodies. The Constitution provides that the president shall be ex officio a member of all committees except the Nominating Committee.

### **Committee on Gay, Lesbian, Bisexual, and Transgender Faculty Concerns**

JOSEPH A. COLOMBO (Theology and Religious Studies),  
University of San Diego, *chair*, 2005

LINDA FOREMAN (Human Behavior), Community  
College of Southern Nevada, 2004

EARL HENRY (Music), Webster University, 2006

JEANNE LAUREL (English), Niagara University, 2006

WILLIAM E. MAYO (Engineering), Rutgers University, 2006

R. PERRY MONASTERO (Education), University of  
Pennsylvania, 2006

ZULEYMA TANG-MARTINEZ (Biology), University of  
Missouri-Saint Louis, 2004

RUTH FLOWER, *Association staff*



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## The Rev. Simon Lefebvre to retire as priest

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"So many people have reached out and heard the cries of the poor; those are the things I remember most," says the Rev. Simon Lefebvre, who will retire Dec. 1 after 13 years as the priest at St. Richard's Catholic Church.

At 76, Lefebvre believes he is the oldest pastor still on active duty in the San Diego Diocese.

"I feel good and hope to keep serving as a supply priest," said Lefebvre, who plans to fly to Las Vegas on Nov. 28 to find out where he can fill in. "The supply list is very lean."

Before he leaves, a farewell potluck dinner is planned for him from 2 p.m. to 4 p.m. Sunday, Nov. 23 at the church.

"It's a standing rule in the order I belong to never to stay in the same parish where you've retired," Lefebvre explained. He will be replaced by the Rev. Brian Hayes, 40, a canon lawyer and tribunal judge educated in Rome. Lefebvre said he attended Hayes' ordination in San Diego in 1992.

Lefebvre was ordained in 1956 in the Viatorian Order after being educated in Chicago and Washington, D.C.

He taught two years at the Spalding Institute in Peoria, Ill. before moving to Taiwan. After receiving a master's degree in Chinese, he taught at Chung Shin National University and Viator High School in Taijung from 1960 to 1980.

Lefebvre returned to the United States in 1980 and did campus ministry for the next four years at the University of Nevada at Reno.

He taught Chinese at the University of San Diego from 1984 to 1990 and became pastor at St. Richard's after retiring from teaching in 1991.

Lefebvre says his most cherished memories come from working with the poor through the Habitat Project set up by Ray Bolanos and Mark Jorgensen at St. Richard's.

"We had the SHARE (food distribu-

tion) program for many years at St. Richard's, but now the other churches have taken it over," Lefebvre said.

Lefebvre gave credit to Bolanos and Jorgensen for structuring a Habitat Fund through St. Richard's Habitat Project to help parishioners become first-time home and mobile home owners.

As in other areas of San Diego County, affordable housing has now become an important issue in the Borrego area, with typical rentals going up to \$650 and \$700 a month and with few rental units available.

The local program acquires real estate or motor homes at a discounted rate and offers them to parishioners on a nominal monthly installment rate with no interest.

Lefebvre said about a dozen parishioners so far have been set up in affordable homes or mobile homes both in Borrego Springs and at the Oasis Trailer Park in Ocotillo Wells.

Lefebvre remembers one day when parishioner Robert Fick, who owns and operates a plumbing business in San Diego, came out to Borrego and completely replaced all the plumbing and fixtures in a residence obtained for a first-time homebuyer.

"I'll never forget those moments or that day," Lefebvre commented.

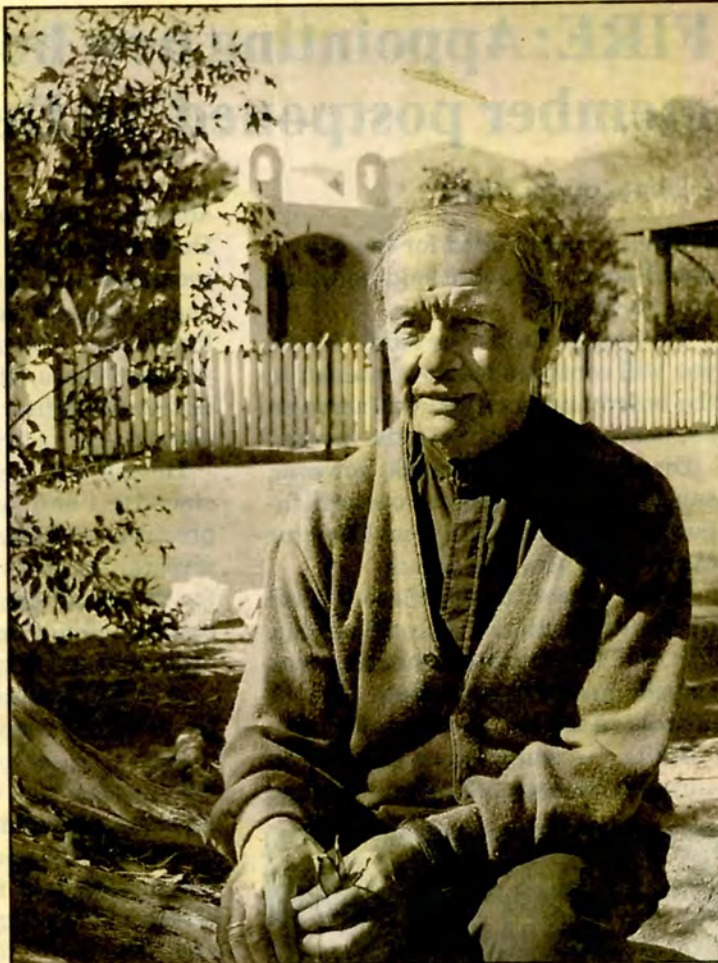
Lefebvre praised the current efforts by developer Bill Wright to build 15 affordable mobile-home sites in the new Quails Nest community for low-income residents.

Before he leaves, Lefebvre is trying to complete a remembrance wall above the memory garden where several parishioners are remembered on headstones with their ashes buried beneath. Lefebvre said he has chosen a place for himself on the wall.



*THE Rev. Simon  
Lefebvre, 76,  
parish priest at  
St. Richard's  
Catholic Church  
for the past 13  
years, will retire  
on Dec. 1.*

SUN photo by  
TOM GORTON



## CLASSICAL LISTINGS

Events that are underlined occur after December 11.

### HOW TO SEND US YOUR LISTING:

Contributions must be received by 5 p.m. Friday the week prior to publication for consideration. Do not phone. Send a complete description of the event, including the date, time, cost, the precise address where it is to be held (including neighborhood), a contact phone number (including area code), and a phone number for public information to **READER CLASSICAL MUSIC**, Box 85803, San Diego CA 92186-5803. Or fax to 619-881-2401. You may also submit information online at [SanDiegoReader.com](http://SanDiegoReader.com) by clicking on the events section.

**A Bowed Psaltery, Krummhorn, crittern, racket, recorders, and harpsichord** may all be heard when

Courtly Noyse performs for Escondido Library's First Thursday series, in Turrentine Room of library (239 South Kalmia Street), December 4, 7 p.m. Program includes Renaissance, medieval, baroque music from German, England, Spain, Flanders, Italy. Free. 760-839-4329. (ESCONDIDO)

**"Enlightenment: The Classical Period — 18th Century"** is topic when California String Quartet is joined by Clay Ellerbroek (flute) for "Changing Tastes" series at San Diego Museum of Art on Thursday, December 4. Lecturer is USD music professor Ronald T. Shaheen. Program includes Haydn's "String Quartet" and "Flute Quartet" by Mozart. \$15. 619-232-7931. (BALBOA PARK)

**All-Gershwin Concert** planned by UCSD Wind Ensemble, Thursday, December 4, 8 p.m., in UCSD's Mandeville Auditorium. Guests include Cecil Lytle for "Rhapsody in Blue," Deborah Davis and Mark Goros singing excerpts from *Porgy and Bess*, Arthur Wagner reading letters to and from Gershwin. \$8. 858-534-4830. (LA JOLLA)

**USD Choral Scholars** present concert on Thursday, December 4, 12:15 p.m., in French Parlor, Founders Hall, University of San Diego (5998 Alcalá Park). \$8. 619-260-4171. (LINDA VISTA)

**Music by Torelli, Corelli**, and "world premiere" of a new arrangement of Mozart's "Piano Concerto No. 13" may be heard when Hutchins Consort and J.M. Harris (piano) perform Friday, December 5, 8 p.m., at Neurosciences Institute (10640 John Jay

## **School of Business Administration**



# Housing market will stay strong, experts say

By Roger M. Showley  
and Carl Larsen  
STAFF WRITERS

If there is a housing price bubble in San Diego County, it's not going to burst anytime soon, speakers at two local real estate conferences said yesterday.

Speaking at an annual residential housing outlook session at the University of San Diego, Jill Morrow, president of Coldwell Banker San Diego, said the area is virtually "insulated" from forces at work elsewhere that could lead to a market upset.



**Economist Leslie Appleton-Young said San Diego occupies an "unbelievable sweet spot" in assessing future real estate trends.**

Leslie Appleton-Young, chief economist at the California Association of Realtors, said San Diego sits in "this unbelievable sweet spot."

And Russ Valone, president of San Diego's Market-Pointe Realty Advisors, told the

USD audience that a land shortage and government regulations make it "impossible" for the region to develop a glut in the supply of houses that would substantially drop prices.

Similarly, the experts said, the area's economy has become so diversified that there is no chance of a downturn in the foreseeable future of the scope that would force thousands of unemployed workers to dump their houses at a loss.

But there were voices of caution at the annual sessions held by the local chapter of the Institute of Real Estate Management at the Town and Country hotel and by USD's Real Estate Institute.

And there was agreement at both sessions that the era of annual double-digit home-price increases will scale back across the state to a range of 5 percent to 8 percent.

Still, no solution was seen to the area's overall high housing prices.

"Affordable housing continues to be a critical issue," said Jay Fuller, executive vice president of the American Mortgage Network and American Residential Investment Trust. "It is a challenge we all have to face."

Appleton-Young added, "Affordability is the largest issue in California and San Diego."

She referred to a series of forecasts presented by USD real estate students who analyzed housing prices expected next month in various parts of the county. None of their median price forecasts came close to



## ► HOUSING

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### No solutions to county's high prices seen

the present U.S. median of \$172,600 for resale houses as reported by the National Association of Realtors.

USD economist Alan Gin said San Diego's job growth, while better than most metropolitan areas, still lags far behind the boom of the late 1990s.

Construction of condominiums may be increasing, he said, but it is falling for single-family units, leaving a shortfall of about 63,000 homes needed to meet current demand. At the same time, high rents have made the apartment market "overpriced," Gin said. Many renters are moving to buy homes instead.

County assessor Gregory Smith welcomed the burst of new condo construction downtown but wondered if the supply of new housing coupled with a growing number of resales by speculators might collide to force a drop in prices for the downtown area.

For 2004, a presidential election year, panelists at both sessions expected the national economy to continue to improve. They pointed to a drop in the nation's unemployment rate to 5.9 percent and the return of a bull market on Wall Street.

The consensus among the speakers was that mortgage rates will rise from their present 6 percent level, as reported Thursday by Freddie Mac, to 6.5 or 7 percent by the end of

next year.

But economist Rocky Tarantello told the IREM session that rising federal and state deficits are affecting financial markets and, if left unchecked, could be a storm cloud on the horizon.

He pointed to the need to fund a continuing U.S. presence in Iraq and Afghanistan. "These problems are not going away," said Tarantello, economist for the Real Estate Research Corp. in Newport Beach.

He said the impact will be felt by consumers and homebuyers seeking mortgages as Uncle Sam and state governments borrow more money.

W. Aubrey Morrow, a San Diego financial planner, told the IREM audience that interest rates drive home-purchase decisions.

"When we buy a home, we don't really buy a home, we buy a mortgage payment," he said.

Still, rates remain near their lowest levels in 40 years.

"My take is I'm bullish on San Diego real estate in the short-term, bearish in the mid-term and bullish in the long-term," real estate adviser and author Robert Campbell said at the USD forecast.

By his definition, the bears could be threatening housing toward the end of next year after the November election.

"Watch existing home sales," he said. "Markets decline because buyers stop buying."

"After the presidential election, all bets are off," Morrow said.

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**DAILY TRANSCRIPT**

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**DAILY TRANSCRIPT**

SAN DIEGO, CA  
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# Real estate forecast: Rising interest rates with chance of declining demand

4154  
By SCOTT LEWIS  
*The Daily Transcript*

FRONT PAGE

SAN DIEGO — Speakers at the University of San Diego's Fourth Annual Residential Real Estate Conference all seemed to agree that there were three pontoons on which the local housing market floats: supply, demand and interest rates.

The consensus was that a dramatic change in the buoyancy of any of them will rock the whole boat. And while each of the speakers had their own opinion about which indicator was liable to change in 2004, it was USD's own economist Alan Gin who may have spread the most anxiety among the estimated 500 real estate professionals and others who attended the conference Friday.

Gin said he thinks that in the near future interest rates will go



Alan Gin

up between 50 and 100 basis points — meaning that 6 percent rates now might be closer to 7 percent very soon. Other speakers made a point to mention that 7 percent was still not bad; many remembered dealing with rates

that were much higher. **Coldwell Banker** San Diego President Jill Morrow even reminisced that more than 20 years ago, she bought a home at interest rates near 20 percent.

But Gin's prediction was still one of a few marked warnings among a panel of mostly bullish speakers.

"I'm a little bit more bearish on interest rates than anyone else that I've heard," Gin said to the packed house at the Shiley Theatre on USD's campus. Later Gin explained that local and national public deficits fuel much of his worry about interest rates.

"The massive budget deficits put pressure on credit markets which are largely funded by foreign investors. With the dollar getting weaker and weaker com-

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# Forecast

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pared to foreign currencies, those investors might not buy more debt," he said.

The competition for capital then will eventually push interest rates up. Gin said the only persuasive argument he's heard that interest rates will not go up comes from those who say the economy will only grow weaker.

And although Gin's not as bullish as some about the future of the American economy — pointing out that San Diego is comparatively a strong economy simply because other metropolitan areas are quite weak — he said things do look better. Gin expects at least modest job growth in San Diego in 2003.

"Nationwide, I am worried that any sort of cutbacks in spending or increasing of taxes to close these deficits could have a dampening impact on the national economy. And the continued outsourcing of jobs, not only of manufacturing jobs to places like China, but white-collar service jobs to places like India and Eastern Europe, is a long-term trend that will continue to adversely affect the national economy," Gin said.

He was reluctant to put numbers and dates on his forecasts for the residential real estate market, but his colleague Joan Anderson, a USD economist, helped her business students present to the conference attendees exact month-by-month predictions of what they expected

home prices and sales totals to be in each of San Diego county's major regions.

Based on background information and historical trends, the students predicted a generally robust housing appreciation trend upward, though not as steep as in the past.

Leslie Appleton-Young, the chief economist for the California Association of Realtors, or CAR, presented her forecast for the coming year at CAR's annual convention held in San Diego in the fall. She came back Friday to do it again, and she reiterated her worry about another facet of the housing market: demand.

As the percentage of those who can afford to buy homes continues to decline, she said, fewer people will be in the market. Add to it the potential for higher interest rates, and potentially hundreds of thousands more will be thrown out of the housing market.

That, of course, means less demand and a threat to housing appreciation rates.

"I was in Los Angeles between 1990 and 1994 when the region lost 700,000 jobs," Appleton-Young said. "Home values fell more than 20 percent over that period and although I'm hesitant to call that a bubble bursting, it's important that we understand and remember that housing prices do drop and people who lose their jobs do sometimes need to sell at those low prices."

Her admonition came after the

short panel discussion directly related to the question of whether an artificially inflated housing bubble does exist in the San Diego region.

Robert Campbell, a local real estate adviser and author, told the crowd that yes, houses in San Diego were overvalued, but no, owners shouldn't sell.

"There's no reason it can't get more irrationally overpriced than it already is," Campbell said. According to what he called five key indicators of the market — existing home sales, new home building permits, notices of default, foreclosure sales and interest rates — Campbell said that at least for the short term, prices would continue to rise.

"I'm bullish on the San Diego market for the long term. I'm bearish for the intermediate term. I'm bullish on the short term," he said. Interest rates he said were important, but they were the least important of his indicators.

Russ Valone, of **MarketPointe Realty Advisors**, said observers cannot compare the housing market to other markets because homes are assets that people live in — they are essential.

"The buyers know that the cycles of home prices go up and go down. None of you would sell in a down market, the vast majority would not sell in a down market, and therefore we cannot be in the midst of a real estate bubble," he said.

scott.lewis@sddt.com

Source Code: 20031205tba

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## **Panel of experts to debate housing issues**

As the San Diego region's home prices continue to rise, consumers and real estate professionals are wondering how long the boom can last.

Despite assurances from economists that the market remains strong, fear of a "housing bubble" persists. Skeptics question how houses can retain their values when less than 20 percent of the region's households make enough money to purchase a median-priced home.

A panel of experts will join the debate Friday at the fourth annual Residential Real Estate Conference: Outlook 2004 at the University of San Diego's Shiley Theatre.

Participants will include Leslie Appleton-Young, chief economist for California Association of Realtors, and Gregory Smith, the San Diego County assessor, recorder and clerk.

The conference is being presented by USD's Real Estate Institute. Registration will begin at 7:30 a.m. The conference will start at 8 a.m. More information is available on the institute's Web site, [www.usdrealstate.com](http://www.usdrealstate.com), or by calling (619) 260-5976.

- EMMET PIERCE





## AWARDS & RECOGNITIONS

**Roger McTighe**, senior vice president in charge of Military Relations Community Development for North Island Financial Credit Union, has been recognized as an outstanding veteran



**McTighe**

and community supporter by the Veterans Memorial Center and Museum. **Malin Burnham**, chairman emeritus of the University of San Diego's Real Estate Institute's Policy Advisory Board, has received the Daniel F. Mulvihill Leadership Award from the Institute. Dr. **Kosala Samarasinghe** has received an award from the California Medical Board for his service in an underserved area, Senator **Bill Morrow** has announced. Congressman **Darrell Issa** has received the Public Official of the Year Award from the San Diego Building Owners and Managers Association.



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# Who's who in the family business



## Family Business Matters

By Peggy Eddy

Recently I met with shareholders of a third generation, family-owned business. Our very full agenda covered topics such as including outsiders on their board, executive compensation issues, the structure of another business enterprise, formulating their family council and requests from a non-operative family member to work on a business investment the family shared. (Yes, it was a long meeting.)

However, early into the meeting it became evident that these clients were having a difficult time differentiating between the multiple roles each has due to his/her family business involvement. Each of them was employed by the family business in executive positions, each was a corporate officer, each was a shareholder, each was a board member and each was someone's spouse, parent, sibling, child, cousin and friend. Clearly, wearing all of these hats simultaneously was akin to performing a high-wire balancing act without a safety net.

We took a hiatus from the agenda to address what one of them called his "family business identity crisis." Taking time to clarify the differences and interrelationships between each role was a beneficial exercise. From a family business governance standpoint, we first reviewed the basic definitions of shareholder, director and officer.

A shareholder is an owner of the business with certain rights

and privileges. A shareholder acts through shareholder meetings, elects members to the board, and is charged with making major decisions such as whether or not to sell the business. Unless employed by the business, a shareholder should not be involved with daily operations; however, a shareholder should have an interest in the profitability of the going concern as an increase in the value of the business can represent a solid return on their investment.

Elected by the shareholders, a director is a shareholder representative who is responsible for the strategic planning for the enterprise. A director acts through board meetings and committee meetings and is charged with "due care" to the shareholders and to the company. The board is normally in charge of hiring the key managers of the company, structuring executive compensation, addressing succession issues and providing impartial guidance to the company.

An officer is generally in charge of running the daily business operations. Whether a CFO, CEO or COO, all officers have duties of loyalty and due care to both the company and all shareholders. Officers report to the board of directors and receive their general directions from the board, not the shareholders.

Although these three major roles in corporate governance have some overlap, by adhering to the respective responsibilities of each role, families in business together can mitigate the conflict that can arise when roles become blurred.

For the remainder of our meeting, I suggested that each shareholder/officer/board

member/sibling preface their comments by verbally identifying from which role they spoke. For example, when the topic of executive compensation was discussed, one of the shareholders said, "From a shareholder's perspective, I want to be sure that there is fair compensation paid to the executive team members, but not to the extent that the profits are minimized that could compromise the longer term value of my investment. As an employee, however, I want to be sure my compensation package is competitive with those in our industry. As a board member, I want to be sure that there is a well-designed executive compensation package that will attract and keep top flight managers in the business."

By framing the "role-origin" of a speaker's comments, it made it easier to understand the various roles each has and enabled the group to work to compromise on several agenda items that could have easily become major issues. This exercise also made it very clear that having outsiders on the board would help enormously with strategic issues and keep them out of potentially damaging family cross fires.

A local resource for families who grapple with their multiple roles and responsibilities is the Family Business Forum, a program at the University of San Diego that was founded more than 11 years ago. Strictly for families in business, the program's mission statement is to "enhance the well being and the survival of San Diego family businesses by providing education and training designed to assist family businesses in functioning more effectively and



planning more strategically for the continuity and health of the family enterprise." Ten times a year, forum members meet at USD or at one member's business for friendly dialogue, presentations of "Tales from the Trenches" by other families in business, and an exchange of issues and challenges they all have in common. In addition, the forum holds affinity group meetings for members of the first, second, third and fourth generations so an interchange of ideas can flow in a confidential setting with one's peers. Just recently, members of the forum heard from the Cohn family about their restaurants and their family involvement and from the Lawrence Welk family about their resort and music businesses.

There are family business programs associated with more than 60 colleges and universities in North America and more than 20 associated with educational institutions on worldwide basis.

In California, there are family business programs at USC, University of the Pacific, and Cal State Fullerton, as well as at USD.

If you are involved with a family business in any one of the roles outlined above, it would be beneficial to you and your family to contact the USD Family Business Forum (director, Jodi Waterhouse, (619) 260-4231) and sample one of their upcoming programs.

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*Eddy, CFP, is president of San Diego-based Creative Capital Management Inc. and co-founder of the Family Business Forum at USD. She can be reached at [peggy.eddy@sddt.com](mailto:peggy.eddy@sddt.com).*

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**EASTERN PENNSYLVANIA  
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# Author: More attention should be given to women's economic clout

By **MICHAEL KINSMAN**  
Business Journal Columnist

At the age of 60, management guru Tom Peters just discovered women. Actually, he says he realized that women are an essential part of the economy seven years ago.

"In 1996, I was in Boston sitting with 30 very powerful women," Peters says. "They regaled me with stories that stunned me. My ears just perked up. I knew I had been missing something."

Peters says he realized how he — and most American males — had overlooked the importance of women in our economic system. He listened as the women told tales of feeling invisible, brainless and generally ridiculed when they tried to participate in the male-dominated world.

"These were highly successful women, and they were feeling this way," Peters says. "I knew right then that men had been missing something."

In his new book "Re-imagine!" Peters tries to spread the word about women, his goal to make the business world appreciate what they have to offer and how they might improve the way we do business. He realizes that he has nothing new to offer, or nothing that women haven't said a hundred times before. But, the corporate leaders of America still haven't gotten the memo.

Peters, who with Bob Waterman, co-

authored the groundbreaking book "In Search of Excellence" in 1982, wants to correct this situation. He is not just singing the praises of how women develop relationships and treat others in the workplace; he is pointing out the economic clout they possess.

"Face it, a bunch of aging, white males — which is what most of our corporate leaders are — are not eager to listen to this," Peters says. "But I'm giving them information they can't ignore, information that says it is sound business to involve women in your leadership."

As evidence, Peters says women are the chief instigators behind 83 percent of consumer purchases, 94 percent of home furnishing buys, 92 percent of vacation expenditures and 91 percent of new home deals.

"I hit them with the bottom line, and they can't ignore that," Peters says.

At the same time, he points out the dearth of women in senior leadership posts in our biggest companies, arguing that it is not good business to restrict the advancement of women. Again, he says, only a handful of women serve as chief executives of Fortune 500 companies.

"There are probably 20 management gurus out there," Peters says. "But when I started looking, I couldn't find that one of them had addressed this. No one was talking about it, even though women are a very

important and growing part of our business world. I just couldn't understand it."

A woman spouting the same rhetoric typically sees backs arching in discomfort, he says.

Miriam Rothman, an associate professor of management at the University of San Diego, sees the challenge of women gaining access to the world of leadership as a long-term educational project.

"Men don't listen to women tell them about how to lead," she says. "We're dealing with the task of changing mindsets and expectations."

No one expects Peters to work miracles. Rothman says she doesn't know how well-prepared men are to accept women.

"There are not enough women sitting on boards of directors and in leadership posi-

tions today," she says. "When we see those numbers start to rise, we'll know that change is happening."

Even Peters knows that the world moves forward inch by inch. He believes women are undervalued as components of the economy and as leaders simply because men don't know or don't want to relate to them.

"Sometimes, I don't think guys really realize how much they are guys," he says. "They think everyone is like them and everyone thinks like them. That's just not the case."

"When I am talking to aging white males, they listen because I am an aging white male with two tours of Vietnam. I think I get a little bit under their skins and that isn't necessarily a bad thing."

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# Keep That New Year's Resolution and Choose A Graduate School

*What the professionals say you should ask before investing in an advanced degree program*

By LIZ SWAIN



*Helen Eckmann knows the challenges — and rewards — of pursuing education as an adult. She pushed ahead from earning an associate's to a bachelor's to a master's degree to a doctorate to faculty at National University. (photo/lambertphoto.com)*

It's December and thoughts turn to New Year's resolutions. Some concern personal goals; others relate to professional objectives. That type of reflection led 44-year-old Helen Eckmann to enroll in National University's associate of arts program. A decade later, Eckmann has a doctorate in organizational leadership from the University of San Diego.

Eckmann started college later in life because she'd been told in junior high that she wasn't college material. She took bookkeeping and shorthand classes instead. "When I did so well at the AA, I was so impressed. I didn't

think of the master's until the bachelor's, then the doctorate," says Eckmann, who worked as a personnel director for Raytheon, Union Bank and Jazzercise. She is now the lead faculty for management and leadership in National's School of Business and Information Management. Her courses include one on business ethics that applies the philosophies of Plato and Aristotle to work situations.

National's graduate business degrees range from the traditional MBA to a master of organizational leadership. The MBA consists of 13 courses, costing a total of \$13,790, reports National's fall catalog. "Regardless of educa-

tion in the past, a master's is a whole different experience," says Eckmann. "You have the right to study what you want."

While coursework is relevant at the graduate level, other factors will determine the best program for you. Keith Butler owned a wholesale health food bakery when he decided to earn a master of business administration. His decision to attend CSU San Marcos was based on several factors — quality of the program, cost and convenience. The 48-unit program costs \$6,600. Students attend evenings or

## What Students Really Want

When University of Redlands business school dean Stuart Noble-Goodman taught in Chicago, he was surprised by a survey that tracked student preferences about two campuses located about two miles apart. Students rated practical considerations above their views about the faculty. Students lauded one school for having better parking; they said that copiers didn't work as well at that campus. In addition, students praised the clerical staff at one school.

Those concerns may seem minor when choosing a graduate school. However, time becomes precious when balancing work, school and family life. Because of that balancing act, students should ask, "How big is the harassment package to get into the program?" advises Jerry Singleton, USD business school director of graduate operations. He says to consider whether a transcript and recommendation are required.

How much administrative support does the campus provide? Area campuses realize support is crucial. While many offer amenities like online enrollment, the University of Redlands discovered that students preferred in-person service to enrolling online. "Students wanted to come and talk, to know they're not just a number," says Noble-Goodman.

Moreover, a Redlands survey showed that working adults want to commute from work to class, rather than to an educational building located closer to their homes. Educational institutions like University of Phoenix recognize that preference, too. The university established learning centers in areas including Downtown San Diego, Rancho Bernardo, Chula Vista and Palm Springs, reports Michael Reilly, chair of the College of Business and Management.

— Liz Swain



Saturdays from 16 to 24 months to earn a general MBA.

Butler, now the MBA program manager at his alma mater, advises prospective students to consider factors such as a school's niche, entrance requirements and whether the campus is accredited. In addition to educational accreditation, look into whether a program is accredited by a professional organization like a nursing association, says Michael Reilly, chair of the University of Phoenix College of Business and Management.

What brings business professionals back to school? "A lot of people want to advance in their professions," says Thomas Horstmann, San Diego center director for Keller Graduate School of DeVry University. "With the economy not doing so well, there may be an advantage in the future" to having an MBA degree. Keller's graduate degrees include the MBA and master's in strategic management. The programs for working adults span one year and four months. The average program costs \$22,000.

Horstmann notes that some people enroll after considering graduate school for several years. If finances are a factor, Horstmann points out that the interest rate for federal student loans is at a low of 2.82 percent. For information about the federal Stafford Loan program, go to [www.studentaid.ed.gov](http://www.studentaid.ed.gov) and search for "stafford." Employers may provide tuition assistance, and campuses including USD and National University qualify for funds paid through the Veterans Administration.

Educational goals often are based on where people are in their careers, says Robert Sullivan, dean of UCSD's new Graduate School of Management. The seasoned professional looks "to keep a job or stay in a profession" and asks, "Is it possible to do so?"

The person with less time in a career is likely to ask, "What are the career options at the end of a degree? What recruiters come to campus? Are graduates getting jobs? What type of jobs do they

get and what percentage are employed by graduation?"

Another consideration may be how the degree is respected locally, nationally and internationally. "What generally isn't important is the tuition. (Students are) looking for a quick payback," says Sullivan.

Classes in UCSD's executive MBA program start in fall 2004, with the full-time MBA program to be launched the following year. Programs are aimed at students

involved in innovation, technology and life sciences, says Sullivan. The cost for courses has not yet been determined.

When researching a graduate school, plan in reverse. "See the end from the beginning. What do you want to accomplish when you finish?" asks Tony Hansford, director of the fully employed MBA program in UC Irvine's Graduate School of Management. He says a woman working in human resources planned to earn

an MBA. However, a program with HR courses would be more valuable.

With your goal established, compare curriculum at campuses, says Hansford. Does the university offer electives and do they match your objectives?

Irvine's all-inclusive program costs \$59,500. This amount covers courses, books, parking, food, enrollment, administrative support, a week studying abroad and

*see next page*

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residential courses at the end of the program. Students are cohorts, part of a group that begins studies at the same time. The program is 27 months in spring or 33 in the fall because students are off during the summer.

When charting your educational course, consider your long-term career plans. People who plan a second career as a teacher should attend a research-based institution like USD or CSU San Marcos, says Maria Gier, San Diego campus director of Chapman University College. For those seeking only professional development, Gier says there are "many choices" for business school and "most all are good."

Chapman offers master's degrees in human resources and organizational leadership. "They give you the skills you need to be a master," she says. Each program consists of 12 courses. The program lasts from 16 months to two years and costs about \$12,000.

Time management is another consideration for prospective students, advises Reilly of University of Phoenix. "If you're working 40-plus hours a week, are you willing to spend from 10 to 20 hours per week on school for two years?" You may need to discuss that time commitment with your family and employer. The employer may give you time off and provide tuition assistance.

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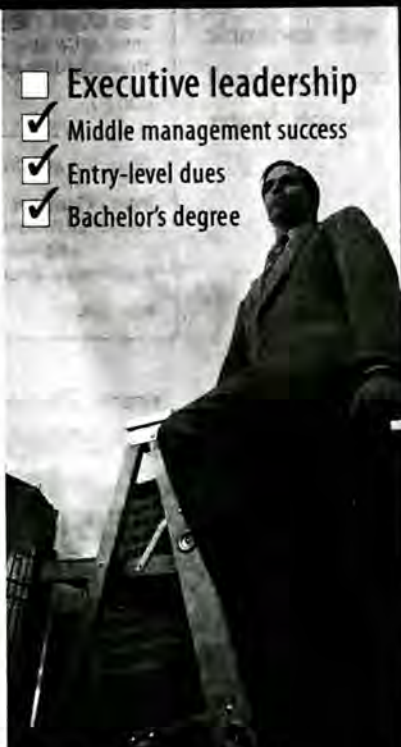
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After assessing your schedule, determine what educational delivery model fits your situation, says Reilly. Some campuses offer a combination of online and on-campus classes. University of Phoenix has that blended format. In addition, an entire MBA program is available online and the doctorate of business administration is almost completely online.

The university's MBA consists of 16 courses taken over 21 months. The program costs \$19,000 plus books and materials.

School officials realize that not all students are the same, so courses are delivered to meet students' needs, says Jerry Singleton, USD business school director of graduate operations.

USD offers working adults programs that begin on tracks in September, January and May. Courses are online and on-campus. Classroom courses are scheduled around a work schedule. Many are in the evening, and one enrolled in the graduate real estate program can attend a 7:30 a.m. class before work. "There's a lot of flexibility," including the ability to go to school full time," says Singleton. MBA programs are 48 units. MS programs range from 30 to 36 units. Each course in the MBA and International MBA program costs \$775.

Resolving to attend graduate school isn't as simple as starting a diet. Some people bring a five-year-old brochure when meeting with Candace Williams, director of SDSU's executive MBA program. "They've been thinking about it that long. There's never going to be a perfect time," she says.

People tell Williams they're enrolling because their employer offers tuition assistance, the children are out of the house or everyone working for them has an MBA.

Those in the EMBA program are experienced managers. They enroll to meet the challenges of the job and to advance, says Williams. SDSU's two-year all-inclusive program consists of day-long classes on Friday and Saturday every other week. "We feed them well, provide comfort-

able eight-hour chairs and help with textbooks and registration," says Williams. The program costs just under \$35,000, and the next session begins in August 2004.

When researching business schools, find out if there is time to change your course of study "while maintaining the integrity of the degree," says Stuart Noble-Goodman, business school dean at the University of Redlands. Just as undergraduates sometimes

change majors, you may decide another program fits your goals.

Noble-Goodman recommends looking for a business program "embedded in a liberal arts tradition." These programs emphasize skills like thinking critically, analyzing and solving problems, and effective oral and written communication.

Redlands' courses include a classic economist program that covers Karl Marx and more. "Our

mission is to produce leaders who think creatively," says Noble-Goodman. Redlands offers a two-year MBA program that costs about \$25,000.

What about the person who has an MBA degree? The next step could be a doctorate of business administration offered at campuses including Alliant International University. Career change often is the goal of work-  
*see next page*

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ing adults in this program, says Ali Abu-Rahma, assistant dean of the college of business. These students look ahead to a post-retirement career as a consultant or teacher. "It's really strategic planning," says Abu-Rahma.

Alliant's doctoral program takes three to four years. The program consists of 24 courses. Some classes may be waived if a person took the classes in a core MBA program and earned a grade of B or higher. "Most get waived," so the average doctoral program consists of 20 courses and costs \$45,000.

The university offers several forms of financial assistance.

Some DBA students teach classes, earning money to pay for tuition, says Abu-Rahma. In addition, the university offers a tuition reimbursement program for graduate and doctoral students. If an employer offers 75 percent tuition reimbursement, the university Business and Industry Tuition Assistance Program provides the other 25 percent.

When evaluating the personal and financial cost of graduate school, consider the price and the payoff. "Are you going to be working long enough to pay off student loans? Do you want to pay off your student loans with social security checks?" asks Gier.

Once you've finished your research and are enrolled in business school, Eckmann has some

advice for scholastic success: "Sit in the front of the class and do your homework. ♦"



The University of San Diego's Jerry Singleton advises new graduate students to consider the harrassment costs — all the little things that eat up time in the pursuit of an advanced degree. (photo/lambertphoto.com)

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# After Saddam's capture

## JUSTICE FOR SADDAM, JUSTICE FOR IRAQ

By Joyce Neu

4154  
The capture of Saddam Hussein is a coup for the U.S.-led coalition, a tribute to the skill of U.S. troops and a needed redemption for U.S. intelligence. More importantly over the long-term, however, having caught Saddam alive may be a turning point in the attempt to help Iraq create a society governed by rule of law, not by the rule of individual people, or, as was the case under Saddam Hussein, the rule of one man.

As Rend Rahim Francke, the Iraqi ambassador to the United States noted just after news of Saddam's capture, the way that Saddam will be treated and tried for the crimes he committed will show the Iraqi people that Iraq has become a country of laws. This said, others are dubious that the recent tribunal established by the U.S.-sponsored Iraqi Governing Council is capable of meting out justice.

As Human Rights Watch director Kenneth Roth pointed out, Iraq has no experience dealing with complex trials on issues of genocide, war crimes and crimes against humanity. The provisions of the new tribunal are inadequate to assure justice for Saddam.

As abhorrent as it may be to consider giving Saddam a fair trial when he denied that to his own people, this is what differentiates democracies from dictatorships. We do not offer a fair trial to Saddam because he "de-

serves" it, but because this is what societies based on democratic principles and based on international law do. For the future of peace in Iraq, it is essential that Saddam be treated with justice to demonstrate that vengeance will no longer replace justice in Iraq.

Given that the new tribunal does not have the capacity to guarantee that justice is done, it is imperative that international jurists be brought in to assist with the trial. The newest war crimes tribunal is for crimes committed during the civil war in Sierra Leone and, unlike the international criminal tribunals for the former Yugoslavia and Rwanda, is located in Sierra Leone.

The Sierra Leone tribunal is a cooperative project of Sierra Leoneans and the United Nations. Working together, local and international jurists are striving to create a new model for trying indicted war criminals in their own milieu. This model is one that could be used in Iraq.

The United States needs to tread carefully with respect to a role in the trial of Saddam Hussein, for the Iraqi people recall that the United States has not always played a constructive role for justice in Iraq — we knew about the gassing of the Kurds in the late 1980s and did nothing to intervene and, in fact, continued to provide military and financial assistance to Saddam Hussein's regime. The United States cannot say that it has always supported democratic principles and justice for the Iraqi people — this is a new venture for us and one that will gain credibility as we ensure that justice is done according

to internationally recognized standards.

Holding the trial of Saddam inside Iraq with Iraqi and international jurists will permit the Iraqi people to witness the process of a free and fair judicial process, to hear a description of the crimes, to watch the man who terrorized them for three decades being held accountable for his crimes, and to allow testimonies against him to be given.

Critically important in this is the chance for Saddam's victims to have their day in court to share their stories with the fellow Iraqis and the world. These actions may make it clear that with the overthrow of Saddam, Iraqis may be on the road to a new society in which even a tyrant like Saddam is given a fair trial.

Finally, it is critical that the United States allow the international community to play an important role in the trial of Saddam so that the United States is not be seen as prejudicing the process and playing by the "old" rules known only too well to Iraqis.

If it is our goal to build a free and democratic society in Iraq, the United States must move quickly to show its intention to allow a fair and open trial; it must invite the international community to assist with the development of a tribunal capable of trying Saddam; and it must, as Secretary of Defense Donald Rumsfeld agreed on Sunday's CBS show "60 Minutes," observe the Geneva conventions in the treatment of a prisoner of war.

"Whenever men take the law into their own hands, the loser is the law. And when the law loses, freedom languishes," said Robert Francis Kennedy.

Executive director of the Joan B. Kroc Institute for Peace and Justice at the University of San Diego.



# SPEAKING THEIR PEACE

By Sandi Dolbee  
RELIGION & ETHICS EDITOR

**W**e called them the Magi, those wise men who went to Bethlehem with gifts for a child who would become known as the Prince of Peace.

A couple thousand years later, and a long way from Bethlehem, four wise women came here, bringing their own gifts to a place that is a cradle for peace. They are Magi, too.

For 10 weeks, they lived and worked together at the Joan B. Kroc Institute for Peace & Justice, sharing their stories and documenting their work in a new venture called the Women PeaceMakers Program. Since opening two years ago at the University of San Diego, the

Four women,  
modern Magi  
of sorts, share  
stories to  
further dreams  
of a safer world

institute has become an oasis for people who are trying to cultivate a safer world.

Selected from hundreds of applicants, these four women came from all over the globe.

Zahra Ugas Farah is a Somali mother of three trying to reconcile warlords and convince other women to join her cause to stop the bloodshed. Raya Kadyrova is a mother of two from Kyrgyzstan who is mobilizing communities to mediate conflicts in central Asia.

Hyun-Sook Lee has two grown children and lives near Seoul, where her organization is trying to reunify a divided and hurting Korea. And, finally, Dalit Baum is a single woman from Tel Aviv who uses activism, including ongoing demonstrations, to raise awareness about human rights issues in the Israeli-Palestinian turmoil.

SEE **Peace**, E4



## ► PEACE

CONTINUED FROM E1

### Women from around globe share stories

The Christmas story is about many things. Hope. Joy. Giving. Love. And most certainly, peace. "Glory to God in the highest, and on earth peace," angels in the Bible told the shepherds after Jesus was born.

On Christmas Day 2003, there is still war and terrorism, injustice and abuse. But as these 21st-century Magi will tell you, there is also the hope for peace.

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This isn't about politics. About who is right and who is wrong. It's not even about these messengers, not really. After all, the Bible doesn't profile its Magi.

Instead, this is about their message. The message of making peace.

"Without peace, we cannot be human," says Lee, who is 57 and grew up amid the ravages of war and poverty in a separated Korea. "Peace is the most critical condition for human life."

Farah remembers being pregnant and terrified when the civil war began in Somalia. "For the first time, I saw blood, and it never stopped," she says.

Now, at 43, she says simply: "Peace is very beautiful. War is very ugly."

But if peace is so good, why is it so elusive?

"I don't think that everybody wants peace," says Kadyrova, a 46-year-old former Communist Party worker in what was once known as the Soviet Union. "For some people, it's better to have instability and injustice, because this way they can make money."

Kadyrova's approach is as practical as it may be profound. "We have to make peace as

profitable as war," she says.

Baum, the 34-year-old Israeli activist, believes in making an ongoing, visible presence to help get the point across. She started a Women in Black vigil in Tel Aviv, in which Palestinian and Israeli women stand silently holding signs with such messages as "We refuse to be enemies." She also co-founded Black Laundry, another protest group whose members include lesbians and gay men.

Baum argues that some people who say they support peace are really advocating something else.

"Sometimes when they say peace, they just mean quiet," she says. "In my eyes, this is not peace. . . . There also must be justice."

When the Magi of the Bible left the child Jesus, they did not go back to King Herod, who

had no intention of a Messiah threatening his power. Although Jesus, Mary and Joseph slipped away to safety in Egypt, the Bible tells us that a furious Herod ordered the children around Bethlehem, ages 2 and younger, to be killed.

Peace, and justice, were as fleeting then as they are now.

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The USD program, which concluded earlier this month, called these women peacemakers.

"These are people who are on the front lines of their countries, making differences," says Dee Aker, assistant director of the Kroc Institute for Peace & Justice.

They were picked from a pool of women who live in troubled regions and have dedicated themselves to human rights

issues, resolving conflicts and trying to replace turmoil with peace. The inaugural venture was funded through a special grant, and Aker hopes to continue the program.

But how do you make peace? Is there a recipe, a list of ingredients to mix together like some sweet Christmas pudding?

You might start with forgiveness.

Lee, who helped start an organization in Korea called Women Making Peace, has seen firsthand how painful memories can keep people apart. "Still they are suffering from the psychic scars of trauma of the Korean war," she says.

You might also add a healthy dose of the ethic of sharing. "From more power to more sharing," is how she puts it.

There's one ingredient you should avoid: vilifying your enemies. That just makes it tougher to walk away from a fight. "As long as you create evil or the devil, then you have to go to war," says Lee.

Peace also takes education. "We have to make a subject of peace," says Farah, who founded a women's organization called Family Economic Rehabilitation Organization, whose offerings include training sessions and workshops on peacemaking.

In central Asia, as leader of her Foundation for Tolerance International, Kadyrova likes to ask people what kind of community they would like to live in — followed by asking them what the obstacles are to building such a community.

"Then we start, step by step: What should be done and who



should do it," she says. "That second part is important because somebody needs to do it."

And pushing peace sometimes means pushing people in directions they don't want to go. "Make people see what they don't want to see," says Baum of Israel.

There are some who view Baum more as an agitator than a peacemaker. She's used to that. "Advocating peace means most times you'll be considered a traitor," she says. "It makes other people very angry, especially if you are being visible or if you are being successful."

...

The Bible says little about the wise men who went to Bethlehem. We don't know for certain how many there were (the Bible never specifies, though later tradition suggested there were three), what their names were or even their religious beliefs.

As for our Magi, they are not of the same faith.

Lee is a Christian. Farah is Muslim. Baum is Jewish. And Kadyrova describes herself as more of an atheist. Yet they share a motivation that is sacred: the desire to change what is bad into something that is good.

It is a journey that is far from concluded. Peace, it seems, takes perseverance.

"To get peace is very difficult," says Farah, shaking her scarf-wrapped head. But she still has hope, if not for herself then perhaps for her children when they grow up. "When you lose hope," she says, "it will be a lesser day."

Lee is the oldest woman in the group, and her optimism is unwavering. "I am convinced that people can change their own destiny," she says. "We can create peace."

It isn't just a wish for Christmas. Think of it as the Magi's challenge for all the days to come.



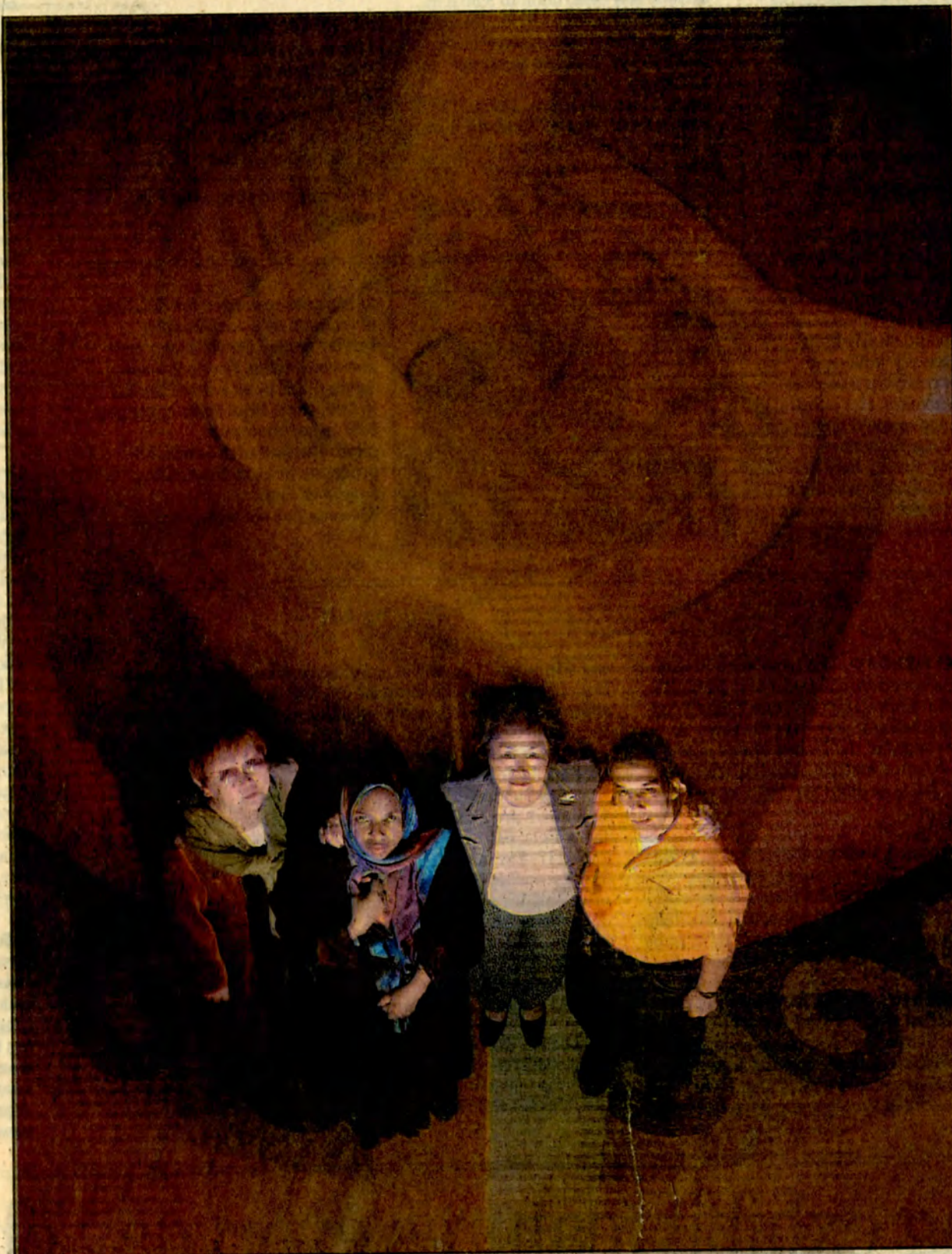
From left, Dalit Baum, Raya Kadyrova, Zahra Ugas Farah and Hyun-Sook Lee were the four women peacemakers for the inaugural program at the Joan B. Kroc Institute for Peace and Justice. Howard Lipin / Union-Tribune



"We have to make peace as profitable as war." RAYA KADYROVA

"Peace is the most critical condition for human life." HYUN-SOOK LEE

"I am convinced people can change their own destiny." ZAHRA UGAS FARAH



They came to the University of San Diego as peacemakers; from left: Raya Kadyrova of Kyrgyzstan, Zahra Ugas Farah of Somalia, Hyun-Sook Lee of Korea and Dalit Baum of Israel. *Howard Lipin / Union-Tribune*



SAN DIEGO, CA  
TUESDAY 380,723  
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# Children's Hospital gets big gift it plans to share

*4154-San Diego Univ*  
**Kroc estate gives \$1 million to facility**

**By Michael Stetz**  
STAFF WRITER

Children's Hospital has received a \$1 million gift from the Joan Kroc estate — money that will be used to help needy children receive medical care, the hospital said.

Children's joins a growing list of local institutions that will benefit from Kroc's philanthropy.

Kroc, the widow of McDonald's founder Ray Kroc, died Oct. 12. She lived in Rancho Santa Fe.

"It was a surprise, a wonder-

ful surprise," said David Gillig, senior vice president of Children's.

Over the past five years, the hospital has raised, on average, about \$15 million a year from donors. So this gift is significant, he said.

Kroc did not specify how the money should be spent. The hospital decided to dedicate it to its Children's Patient Care Fund, which allows the hospital to treat children who have little or no health insurance.

About half of the children who come to the hospital for care fall into that category, Gillig said.

"We take pride in being the

*C* SEE Gift, B3

## ► GIFT *C*

CONTINUED FROM PAGE B1

## Money will go to fund that pays for needy kids

safety net for kids in need," he said.

Kroc has donated to the facility before.

"As a mother, grandmother and great-grandmother, Joan Kroc's first priority was children," said Dick Starmann, spokesman for the estate, in a

written statement. "She wanted to make the world a better place for kids. It's why she did so many things for young people and why she made her gift to Children's."

Kroc's estate was estimated to be worth \$1.7 billion. Locally, she has bequeathed money to San Diego Hospice, the San Diego Opera, San Diego public broadcasting and the University of San Diego's Joan B. Kroc Institute for Peace and Justice.

Other recipients of her wealth include National Public Radio and the University of Notre Dame's Joan B. Kroc Institute for International Peace Studies.

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# CHRONICLE OF PHILANTHROPY

WASHINGTON, DC  
BI-WEEKLY 43,394  
DEC 11 2003



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## *\$20-Million Pledged to College; Other Gifts*

Four donors have made large gifts and pledges:

■ West Virginia University Foundation, in Morgantown, has received a \$20-million pledge to the university's capital campaign from Milan Puskar, co-founder and chairman of Mylan Laboratories, a pharmaceuticals company in Canonsburg, Pa. Most of the money—\$12-million—will endow athletic scholarships, while \$2-million will be used to renovate athletic facilities. The remaining \$6-million will support academic programs at the university.

■ The University of Vermont, in Burlington, has received a \$15-million pledge from Steve Rubenstein, [redacted] in New York, to support the environmental studies program. Mr. Rubenstein graduated from the university in 1961.

■ The RAND Graduate School, in Arlington, Va., has received \$10-million from Frederick S. Pardee,

a real-estate developer in Los Angeles, for its endowment. The school is part of the RAND Corporation, a nonprofit research organization in Santa Monica, Calif., where Mr. Pardee formerly worked as an analyst.

■ The San Diego Opera has received a \$10-million bequest for its production fund, which supports artistic programming, from Joan B. Kroc, who lived in Rancho Santa Fe, Calif., and was the widow of Ray A. Kroc, the founder of the McDonald's Corporation. Ms. Kroc, who died in October, made large bequests to National Public Radio, in Washington; the University of Notre Dame, in South Bend, Ind.; and the University of San Diego (*The Chronicle*, November 13). In addition, KPBS, a public-radio station in San Diego, received \$5-million for its endowment.

Other recent gifts:

Carroll College (Waukesha, Wis.): \$2.5-million pledge from George H.

Richter, for scholarships and an endowed chair in nursing, and for health-science programs. Mr. Richter's wife, Gladys, who died in 1992, graduated from the college in 1936.

Community Working Group (Palo Alto, Calif.): \$1-million from Pierre Omidyar, founder of eBay, to construct the Opportunity Center, which will provide housing and services to the homeless in Palo Alto.

Johns Hopkins U. (Baltimore): \$2-million from Alex Grass, founder of the Rite Aid Corporation, for an oncology professorship in the medical school.

Spring Hill College (Mobile, Ala.): \$8-million from Skip Viragh, founder of the Rydex Fund Group (Rockville, Md.) and a college trustee and 1964 graduate, for a new residence hall.

U. of Texas at Austin: \$2,485,000 bequest from Walter B. Smith, former chief executive officer of American Exchange Life Insurance Company (McKinney, Tex.) and a graduate of the university, for financial aid; and \$1-million from the Ella Mae Moore Charitable Remainder Annuity Trust, for a chair in international management at the business school. Mrs. Moore's husband, Fred Holmsley Moore, who died in 1985, was president of North American operations at Mobil Oil Corporation (Dallas).

—COMPILED BY JULIA GREEN



# Kroc left \$10 million bequest to S.D. Opera

By Preston Turegano  
STAFF WRITER

In the latest example of the wide-ranging philanthropy of the late Joan Kroc, the San Diego Opera has received a \$10 million bequest from the McDonald's heiress and Rancho Santa Fe resident who died Oct. 12.

It is the largest single gift in the San Diego Opera's 38-year history and will augment the Joan Kroc Production Fund, which she established in 1997 with a \$1 million gift. The fund is similar to an endowment, which earns interest.

In appreciation of the bequest, the San Diego Opera will dedicate its 2005 40th anniversary season to Kroc. Thereafter, one of the five operas scheduled each season will be dedicated in memory of Kroc.

"Mrs. Kroc always spoke of the need for excellence in all things, whether it was the Institute for Peace and Justice she established at USD, the extraordinary Salvation Army complex in the neighborhood of Rolando, which she so generously funded, or San Diego Opera productions," San Diego Opera General Director Ian Campbell said. "This is a remarkable gift."

## Joan Kroc's bequests

- \$200 million National Public Radio
- \$50 million Joan B. Kroc Institute for Peace and Justice at the University of San Diego
- \$50 million Joan B. Kroc Institute for International Peace Studies at the University of Notre Dame
- \$10 million San Diego Opera
- \$5 million KPBS, the local public broadcasting station

SEE Gift, B8

## ► GIFT

CONTINUED FROM PAGE B1

Despite the gift, the opera company must continue to raise money to finance its annual operating budget, Campbell said. The 2003-04 budget is \$14.5 million. A revival of Puccini's "Turandot" opens the 39th San Diego Opera season Jan. 24.

Earlier this month, it was announced that Kroc had left \$200 million to National Public Radio. She also bequeathed \$5

million to San Diego's public broadcasting operation, KPBS.

Kroc left a \$1.7 billion estate. Other Kroc bequests include \$50 million to the University of San Diego's Joan B. Kroc Institute for Peace and Justice, and an equal amount to the University of Notre Dame's Joan B. Kroc Institute for International Peace Studies.

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# Kroc leaves \$20 million to the S.D. Hospice

4154-San Diego Univ  
In-patient center cares  
for those terminally ill

By Jeff McDonald  
STAFF WRITER

Twelve years after Joan B. Kroc christened the San Diego Hospice in-patient care center high above Mission Valley, her estate has handed \$20 million to the nonprofit agency dedicated to nursing terminally ill patients — another huge gift in a string of multimillion-dollar bequests.

The award, which is more than three times larger than the organization's yearly budget, was announced yesterday by hospice executives.

"Mrs. Kroc was a brilliant and thoughtful woman who truly understood the responsibility of philanthropy," said Jan Cetti, president and chief executive of the hospice.

"She is a role model for all of us in supporting the needs of charitable organizations. While her gift does not end our need for charitable support, it shows the community her confidence in San Diego Hospice & Palliative Care programs and services."

Hospice workers said Kroc's interest in treating terminally sick patients dated back decades, to the time of her own father's passing and the palliative type of care he received in his last days.

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SEE Hospice, B10

## ► HOSPICE

CONTINUED FROM PAGE B1

## Staffers say Kroc brought gifts at holidays

Over the years, and especially around the holidays, Kroc delighted in visiting the hospice and delivering presents to the patients staying at the center, the staff said.

As has become their custom since Kroc died at her Rancho Santa Fe home Oct. 12 at the age of 75, officials of the estate confirmed the donation only after the hospice made its announcement.

In making the bequest, Kroc spokesman Dick Starmann said his late boss wanted to make death more comfortable for extremely sick patients.

"She wanted the people of San Diego who were gravely ill, terminally ill, to have a place that was serene and lovely," Starmann said. "Like with so many things, she put her money where her mouth was."

One of the richest women in America — *Forbes* magazine valued her McDonald's Corp. empire at \$1.7 billion last year — Kroc was well-known for giving millions of dollars to causes and charities that she believed did remarkable work.

She gave hundreds of millions of dollars to public broadcasting, advocates for the homeless, disaster victims and many, many others.

In the late 1990s, she spent more than \$90 million to build the Ray & Joan Kroc Corps Community Center, a 12-acre recreation and education complex in the Rolando section of San Diego.

About the same time, she gave \$30 million to build and establish the Joan B. Kroc Institute for Peace & Justice on the University of San Diego campus. A similar peace institute funded by Kroc operates at the University of Notre Dame.

Modest and extremely private, Kroc reluctantly agreed to allow her and her late husband's name to be attached to some projects she endowed only after she was intensely lobbied by the groups receiving the money.

The San Diego Hospice & Palliative Care Center has been operating for 26 years. In addition to its 24-bed Hillcrest facility, it provides home-care services to 600 patients a day. Hospice executives say they have never turned away a patient who could not afford the services.

Besides high-profile gifts like the \$200 million to National Public Radio last month and the \$50 million Kroc gave the Institute for Peace & Justice, there have been many other donations made privately, Starmann said.

More donations from the Kroc estate would be made in coming weeks, he said.

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# USA TODAY

WASHINGTON, DC  
THURSDAY 2, 120, 357  
NOV 6 2003



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## McDonald's estate funds peace projects

The University of San Diego and the University of Notre Dame have received two of the largest gifts ever given for the study of peace from the estate of Joan B. Kroc, billionaire widow of Ray Kroc, founder of McDonald's, who died on Oct. 12. The \$50 million University of San Diego endowment will establish the Joan B. Kroc School of Peace Studies at the Joan B. Kroc Institute for Peace & Justice at San Diego. She also bequeathed \$50 million for the Joan B. Kroc Institute for International Peace Studies at the University of Notre Dame. Funds from the San Diego endowment will educate and train graduate students in peace and conflict studies, fund faculty and staff with expertise in peace studies, and expand the Institute's work. Before her death, Kroc said, "Now they will know I'm serious about peace!"

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NOV 25 2003



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# McDonald's heiress left her money to study of peace

4154

By Nicole Ziegler Dizon  
THE ASSOCIATED PRESS

Books on current events mysteriously started appearing in Joyce Neu's mailbox not long after she became friends with McDonald's heiress Joan B. Kroc.

Kroc devoured news on world events from every source she could find, from books to Internet sites to radio reports. She longed to discuss her thoughts on the news with friends, who couldn't get away with excuses that they were too busy to read the books she had sent.

"She'd say, 'Just read chapter eight, then call me, we'll talk,'" Neu recalled with a laugh.



Joan Kroc

## \$1.7 billion estate

So it was no surprise to Kroc's friends after her death at age 75 on Oct. 12 that she left a big piece of her estimated \$1.7 billion estate to organizations dedicated to keeping people informed about war and peace.

Kroc bequeathed \$200 million to National Public Radio and \$50 million apiece to peace institutes at the universities of Notre Dame and San Diego that bear her name.

"I think that these gifts are similar in the way that people have to be educated and have to be informed in order to make wise decisions," said Neu, executive director of the Joan B. Kroc Institute for Peace & Justice at the University of San Diego. "She thought that if people were better informed, they would not have to accept the use of violent means" to solve problems.

Kroc, the widow of billionaire McDonald's founder Ray Kroc, gave generously throughout her life to organizations representing her many passions, including democracy, health care and the arts.

Above all, though, her interest in world peace drove much of her philanthropy.

In addition to donating the money to build the peace institutes at Notre Dame and San Diego, established respectively in 1986 and 2001, she was a major benefactor of the Carter Center in Atlanta, which promotes human rights and freedom around the world.

"She was interested in all aspects of human rights, in the protection of people from suffering, in democracy," said former President Carter, a close friend of Kroc's. "Her legacy will be a permanent one promoting peace and human rights around the world."

After Kroc was diagnosed with terminal brain cancer, she called Neu and Scott Appleby, director of the Notre Dame peace center, to her home to disclose the gifts she planned to give the institutes. Instead of dwelling on her impending death, Kroc instead joked about her legacy, Neu said.

"Now they'll know I'm serious about peace!" Kroc told them.

## Local donations

Kroc also was concerned about ending suffering closer to home. During her life, she donated to local causes in the San Diego area where she lived, including homeless shelters, AIDS charities and a 12½-acre Salvation Army recreation center.

"Her gifts are changing lives," said Shelby Gordon, marketing manager at the Salvation Army Ray and Joan Kroc Corps Community Center. "That's certainly happening here at the center. We have everyone from infants to mature adults active here every day."

Kroc's local NPR member station KPBS in San Diego received its own \$5 million from her estate on top of the \$200 million she gave to the network, which caught her attention for its coverage of the war in Iraq.

Friends say they expect many more local and national charities will announce gifts from her estate in the months to come.

"I just think that she's got to be watching and enjoying this," Neu said, "because she just loved being able to tell people she was giving them money."



**HERALD-ARGUS**

LA PORTE, IN  
TUESDAY 11,982  
NOV 18 2003

**KING COUNTY JOURNAL  
(EASTSIDE EDITION)**

KENT, WA  
THURSDAY 26,581  
NOV 20 2003

**GREEN BAY PRESS-GAZETTE**

GREEN BAY, WI  
TUESDAY 58,785  
NOV 18 2003

**LAWRENCE JOURNAL -  
WORLD**

LAWRENCE, KS  
DAILY & SUNDAY 20,500  
NOV 18 2003

**HERALD-NEWS**

JOLIET, IL  
SUNDAY 37,720  
NOV 30 2003

**PRINCE GEORGE CITIZEN**

PRINCE GEORGE, BC, CN  
MONDAY 20,000  
NOV 24 2003

**KING COUNTY JOURNAL  
(SOUTH COUNTY EDITION)**

KENT, WA  
THURSDAY 47,089  
NOV 20 2003

**CALL-LEADER**

ELWOOD, IN  
TUESDAY 4,000  
NOV 18 2003

**NEWS-SUN**

HOBBS, NM  
FRIDAY 8,957  
NOV 28 2003

**SHELBYVILLE NEWS**

SHELBYVILLE, IN  
WEDNESDAY 9,428  
NOV 19 2003

**TIPTON COUNTY TRIBUNE**

TIPTON, IN  
TUESDAY 3,000  
NOV 18 2003

**TIMES-REPUBLICAN**

MARSHALLTOWN, IA  
DAILY & SUNDAY 11,847  
NOV 19 2003

**DAILY EASTERN NEWS  
(EASTERN ILL.  
UNIVERSITY)**

CHARLESTON, IL  
TUESDAY 9,100  
NOV 18 2003

**JOHNSON CITY PRESS**

JOHNSON CITY, TN  
DAILY 32,000  
NOV 18 2003

**MESSENGER**

FORT DODGE, IA  
DAILY & SUNDAY 19,000  
NOV 18 2003

**MIAMI HERALD (INTERNATIONAL  
EDITION)**

MIAMI, FL  
DAILY 18,000  
NOV 19 2003

**BANNER-PRESS**

BRENNHAM, TX  
DAILY & SUNDAY 5,806  
NOV 18 2003

**ROCKFORD REGISTER STAR**

ROCKFORD, IL  
TUESDAY 67,205  
NOV 18 2003

**COURIER-TIMES**

NEW CASTLE, IN  
WEDNESDAY 12,000  
NOV 26 2003

**BRISTOL PRESS**

BRISTOL, CT  
TUESDAY 12,125  
NOV 18 2003

**WASHINGTON TIMES-HERALD**

WASHINGTON, IN  
TUESDAY 8,768  
NOV 18 2003

**LA CROSSE TRIBUNE**

LA CROSSE, WI  
TUESDAY 34,244  
NOV 18 2003

**DAILY SOUTHTOWN**

CHICAGO, IL  
TUESDAY 48,843  
NOV 18 2003

**ASBURY PARK PRESS**

NEPTUNE, NJ  
TUESDAY 167,035  
NOV 18 2003

**BUFFALO NEWS**

BUFFALO, NY  
SUNDAY 303,832  
NOV 23 2003

**PORTSMOUTH HERALD**

PORTSMOUTH, NH  
TUESDAY 14,212  
NOV 18 2003

**JOURNAL TIMES**

RACINE, WI  
TUESDAY 29,058  
NOV 18 2003

**GRAND FORKS HERALD**

GRAND FORKS, ND  
SUNDAY 34,593  
NOV 18 2003

**VALLEY MORNING  
STAR**

HARLINGEN, TX  
DAILY 29,500  
NOV 18 2003

**TIMES-NEWS**

TWIN FALLS, ID  
THURSDAY 22,956  
NOV 27 2003



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# When Kroc called, NPR was ready

By DAVID FOLKENFLIK  
Baltimore Sun

The late Joan B. Kroc loved the news. "If she wasn't on the Internet, she was listening to NPR, or watching the cables — or all three at once," says her friend and adviser Richard Starmann.

In her will, the McDonald's restaurant heiress and philanthropist bequeathed \$200 million to National Public Radio — the largest private donation in the broadcaster's history.

Kroc died of brain cancer on Oct. 12 and NPR announced the gift early last month. The story of how the gift was made offers a glimpse of how in the world of philanthropy small human interactions may form the foundation of major financial donations.

"You never asked for gifts from her — ever," says Stephanie Bergsma, associate general manager at KPBS radio, which is owned by San Diego State University. "She tended to make up her mind and act very quickly."

The radio executive, who oversees fund-raising at KPBS, met Kroc years ago when the heiress, who lived just outside San Diego, made donations to the station. But their relationship was cemented when Bergsma's dying husband wrote a thank-you note letter to Kroc for her support of the hospice where he was staying. Kroc spoke with Bergsma about her husband's ordeal and the two women became confidants.

Bergsma knew how much Kroc loved the news and introduced Kroc to Kevin Klose, the president and CEO of National Public Radio. "You always bring out your top people to talk to your donors," she says.



LENNY IGNELZI/ASSOCIATED PRESS

**THE LATE JOAN KROC,** McDonald's restaurant heiress and philanthropist, bequeathed \$200 million to National Public Radio.

On Oct. 31, 2002, Klose and NPR Executive Vice President Ken Stern met Kroc for breakfast at Rancho Valencia, a resort about 25 miles north of San Diego. During the 90-minute meal, the group talked about NPR and its funding mechanisms. Stern explained how reporters abroad gathered news.

Klose, a former foreign correspondent, also spoke passionately about journalism, participants say. Klose "was on a scouting mission, in all probability, because he knew who she was," says Starmann, the adviser. "They talked about the news going on in the world — Iraq, Afghanistan, the United States."

Afterward, Klose and Kroc corresponded politely. He knew of her past generosity to other organizations, as well as her devotion to the cause of international peace. And Kroc wanted to learn more about his shop.

In December 2002, Klose opened a holiday card with a warm personal greeting from Kroc. It also contained a personal check for \$500,000 made out to NPR, he says.

Klose again visited Kroc last March 19. Others, including friends, advisers and representatives of groups that had been recipients of past largess from her, were present at their meeting. She pressed Klose on whether he could use more reporters in foreign countries. Always, he replied.

Klose also talked about covering the war in Iraq. He spoke of Anne Garrels' reporting from Baghdad; the new "embed" system that allowed reporters to accompany American combat units; the technological obstacles to getting stories on the air. Heiress and executive continued to write one

another.

By July, Kroc was aware that her health was failing, but told few people. She sent Starmann to Washington to learn more about NPR and to push executives there to think big — what would they do with more money?

"I asked, 'If you could dream a little bit, and dream a bit about what you'd like to do, what would you do?'" Starmann said. He left Washington without making any promises.

He did ask, however, what recognition donors received, and Klose told him that those donating \$15,000 and those who gave more than \$25,000 were ranked on different levels. "I said, 'If Mrs. K. gave something, I'd hope we'd be in at least the \$25,000 group,'" Starmann recalls with a laugh.

But Kroc couldn't wait for a report. When Starmann called her that evening, she replied, "Well, I'm sending the boys for you." The "boys" were the pilots of her private jet. She wanted to hear about the visit immediately.

As the summer progressed, Kroc's health faltered. "She had not thought that she would make it to her birthday (Aug. 27)," says Joyce Neu, executive director of the Joan B. Kroc Institute for Peace & Justice at the University of San Diego. On Aug. 22, however, she called Bergsma, Neu, Klose and a few others to say she would be holding a party on the following Wednesday.



Klose hopped a plane and joined about three dozen other guests at Kroc's home.

Toasts were offered to Kroc on her birthday, her 75th. Bergsma gave her some CDs, feeling that music might be soothing. Klose gave her a Russian lacquered box, a memento of his days as a reporter based in Moscow for *The Washington Post*.

When Kroc greeted Klose, she gripped him with both hands and beamed up at him: "We're really going to do great things together," she said.

In her will, Kroc left gifts of \$50 million to peace institutes that bear her name at the University of San Diego and the University of Notre Dame in South Bend, Ind. She gave \$10 million to the San Diego Opera and another \$5 million to KPBS. And she gave NPR the largest gift in its history. Her donation came with no strings attached, save its structure: The amount of \$25 million could be used immediately for pressing needs. The other \$175 million would be held by the NPR Foundation, to generate approximately \$10 million annually in interest in perpetuity.

## SAN FRANCISCO CHRONICLE

SAN FRANCISCO, CA  
FRIDAY 514,265  
DEC 5 2003

## LOS ANGELES TIMES

LOS ANGELES, CA  
TUESDAY 1,014,044  
DEC 9 2003

## SUN

BALTIMORE, MD  
WEDNESDAY 304,244  
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**McDonald's heiress leaves  
funds for war, peace studies**

Books on current events started appearing in Joyce Neu's mailbox not long after she became friends with McDonald's heiress Joan B. Kroc.

After her death at age 75 on Oct. 12, Kroc left a big piece of her estimated \$1.7 billion estate to organizations dedicated to keeping people informed about war and peace.

Kroc bequeathed \$200 million to National Public Radio and \$50 million apiece to peace institutes at the universities of Notre Dame and San Diego that bear her name.

— AP





Steve Brown was honored with the 2003 Eleanor Roosevelt Human Rights Award from the United Nations Association.  
*Nancee E. Lewis / Union-Tribune*

# Thinking globally

## Lawyer honored for work in underprivileged countries

**By Amy Horton**  
COMMUNITY NEWS WRITER

**D**EL MAR — He works to foster a greater understanding among cultures, countries, and most of all, among people.

Steve Brown of Del Mar is an engine, fueling efforts to give knowledge and tools to underprivileged societies so they can develop, become educated and create a better way of life.

To honor his international contributions, the United Nations Association of the USA San Diego Chapter awarded Brown and the La Jolla Golden Triangle Rotary Club the 2003 Eleanor Roosevelt Human Rights Award on Oct. 25 at University of San Diego's Joan Kroc Institute for Peace and Justice.

Brown, who has practiced law with Luce, Forward, Hamilton & Scripps since 1972, is an active member, founder, past president and past district governor of the Rotary Club.

"I really appreciate it, in part because it's nice to have an organization outside

the Rotary recognize what I think a lot of people don't understand about the depth and the breadth of international humanitarian work," Brown said.

United Nations Association president Karen Longstreth called Brown a hero among his peers. He also embodies the goals and values for which the UN stands, she added. "He has the vision, compassion and conviction that the world can indeed be a better place," Longstreth said.

Brown's contributions are extensive. Of the club's 171 international service projects, he has been involved in 61.

In conjunction with fellow Rotary Club member Fary Moini and advocate Flouran Wali, Brown has spearheaded a Rotary school for children in Jalalabad, Afghanistan, to promote literacy.

He is also establishing a computer and Internet lab for university faculty in Afghanistan, as well as sending 12,000 English dictionaries, boxes of college math textbooks and five university teachers to that country.

In Kenya, Brown was involved in dig-

ging 10 new wells that supplied clean water to 10,000 residents. A second phase will provide water to 10,000 more. He has worked to create a hippo fence in Lake Victoria, Kenya, so the community's vegetable garden will be protected, and he sent boxes of English dictionaries and college textbooks to Kenyan schools.

His impact continues on the home-front as well. Brown created a sewing center for Somali refugees in San Diego.

Brown said he has been asked many times by his foreign neighbors why someone with no business ties or historical connections would want to help these needy communities.

Brown told them he believes it is important for the underprivileged to have the same opportunities as residents in other countries have. He has no interest in exporting American culture. He hopes they can experience a similar life of liberty and the pursuit of happiness.

To that, Brown said, they simply say, "Thank you."

**School of Education**



## Burl Stiff

# Celebrating progress in adult literacy



"There are over 400,000 adults in San Diego County who can't function above a fourth-grade level," Doug

Sawyer reminded his audience.

What he was telling them was that those 400,000 adults can't read.

"You can understand," he continued, "just how challenging it is for us to get those 400,000 adults — and the children that grow up in those households — to be productive members of society.

"You make it happen."

Doug and his wife, Marilyn, chaired the annual Chairman's Circle reception of the San Diego Council on Literacy, which took place at the James S. Copley Library in La Jolla.

Helen Copley was the honorary chair, and her son, David Copley, was the host.

The San Diego Union-Tribune Corporate Leadership Award for Literacy was presented to the Fieldstone Foundation. It was accepted by Jane and Keith Johnson.

Audrey Geisel and Alex Butterfield were there, and so were Esther Burnham, Darlene and



Doug and Marilyn Sawyer chaired the annual Chairman's Circle reception of the San Diego Council on Literacy at the James S. Copley Library in La Jolla. Joe Klein

Donald Shiley, Junko and Larry Cushman, Judith Harris and Dr. Robert Singer, Colette Carson Royston, Linda and Mel Katz, Bob Breitbard, Donna and Bill Lynch, Valerie and Harry Cooper, Catherine and Philip Blair, Dennis Smith (he is the executive director of the Council on Literacy), Jane and Drew Schlosberg, and Dr. Roger Cornell.

Others at the gathering included Mary and Roy Drew, John Lynch, Mary Ann and Arnold Ginnow, Nina and Bob Doede, Mitchell Woodbury, Paula Cordeiro and David O'Brien, Emily and Chris Jennewein, Bill Nagel, Mary Catherine and Tom Swanson, Kevin Cottrell, Ileana Ovalle, Carol Tuggey, Sandy McBrayer, Helga Moore, and Carrie Scott,

who is president of the Literacy Council's board.

Bill Haworth played the grand piano in the library's reception room at cocktail time.

Waters Catering supplied the shrimp tempura, the artichoke and chevre wrapped in phyllo, the miniature California Reuben sandwiches, the cranberry chicken, the beef tenderloin on Parker House rolls, and the smoked salmon. Desserts included chocolate eclairs and lemon tarts.

Some of the other guests at the reception were Rosalie Kostanzer, Claudine Ruiz and William Beckwith, Jose Cruz, Theresa Drew and Larry Faas, Kristen Churchill and Raul Cadena, Judy and Gordon Churchill, Nancy Rohland-Heinrich, Molly and Robert Schulze, and Fred Baranowski.

More were Rosana Ortega (she's vice president of the board), Sandra Christie, Janine Mason Barone, Lynn Flanagan and Travis Burleson, Tom Kelsey, Chena Popper, Shannon Mariani, Dave Andrews, Jason Toscano, and Carrie Dennington.

Carrie is a volunteer/tutor who told the group of the joy she has found in helping grown-ups to learn to read.

SAN DIEGO UNION-TRIBUNE

SAN DIEGO, CA  
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**ON THE MOVE**

*Personnel moves in San Diego County*

**Barbara Groce** and **Lisa Means** have joined the board of directors of the Girl Scouts San Diego-Imperial Council. Groce is the School of Education's supervisor at the University of San Diego. Means is co-founder of Means Engineering Inc.

**Steve Hanks** has joined N.N. Jaeschke Inc. as business development manager for management services.

Innovative Real Estate Cos. has added **Michael Bastian** as Southern California vice president of operations.

Send items for this column to: Nicole Reino, On the Move, The San Diego Union-Tribune, P.O. Box 120191, San Diego, CA 92112-0191, or e-mail them to [nicole.reino@uniontrib.com](mailto:nicole.reino@uniontrib.com).



SAN DIEGO UNION-TRIBUNE

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# Caring for the community

4154  
Students learning  
more than medicine  
at Mid-City clinic

By Jessica Zisko

Like dozens of nursing students at Point Loma Nazarene University, Ali Taulbee learns the job by working with real patients.

But Taulbee is not at a hospital. Nor is she anywhere near the affluent community close to her seaside campus.

Taulbee is among a handful of San Diego college students who study their craft in the heart of City Heights, in a community where the choice can be going to the doctor or putting food on the table.

She works at Point Loma's Health Promotion Center, a program overseen by the San Diego Health and Faith Alliance that trains future health professionals from three universities while providing free care to people without insurance.

Twice a week, a congregation hall in the Church of the Nazarene in Mid-City is transformed into a health care office. Point Loma nursing students take their patients' blood pressure behind sea-green partitions.

UCSD medical students fill prescriptions in a small kitchen or visit with patients in an exam room that once was a storage closet.

Student therapists from the University of San Diego counsel families in private corners.

Up to 15 students and faculty members work in the center on a typical day. They see close to a dozen walk-in patients or those who have appointments. No one is turned away.

The joint effort gives students a broader view of the community's health care needs, said Mary Margaret Rowe, a Point Loma associate professor of nursing and supervisor in the facility.

"If students only learn about patients in a hospital, they don't get the full picture," Rowe said. "They don't see the family environment, and they don't see the challenges these people face."

The hope is that some students will return to this type of facility when they graduate. Health professionals who train in communities with serious health care needs feel more comfortable in them, said former nursing department chairwoman Margaret Stevenson, who founded the program in 2000.

Taulbee is already hooked. She said she enjoys the program's open environment and that she helps out in more ways than she could in a hospital. She spends more time with her patients and learns more than just nursing, she said.

The same is true for Marissa Lee, who studies marriage and family counseling at USD. While other students in her program learn the practice in places such as Del Mar or La

Jolla, Lee interacts with families from all backgrounds, even the homeless.

Except for yellow sandwich boards outside the church that publicize the program every Tuesday and Thursday, the only advertising for the center is by word of mouth. Regardless, the waiting room is often packed past closing time.

On a recent visit, 25-year-old Jamme Rue drove to the church from her home in El Cajon to see a doctor. Rue said she heard about the center through a drug recovery program she attends weekdays.

"I'm unable to work because I'm trying to get back on my feet," she said. "But just because I can't get health insurance doesn't mean that I don't get sick. What else am I supposed to do?"



Stevenson said she spearheaded the Health Promotion Center with people like Rue in mind. The program originally offered health education to church members after weekend services, using a \$92,000 grant from the Helene Fuld Health Trust, the nation's largest private fund devoted to nursing education.

Students and supervising faculty also visited the homes of needy patients.

The free health center started in June after the program received a \$40,000 grant from the Compassion Capital Fund that President Bush authorized

last year for faith-based community organizations.

The award is part of a \$673,000 grant received by St. Vincent de Paul Village, the only agency in California chosen to administer the funding, and one of only 21 in the nation.

The San Diego Health and Faith Alliance supplies the center with funds for medications and equipment. The nonprofit organization works with schools as well as religious and community organizations to provide free health care to medically uninsured residents and training for future health professionals.

About 500,000 San Diegans

have no health insurance, according to U.S. census figures. That total does not include the thousands of undocumented immigrants in the county.

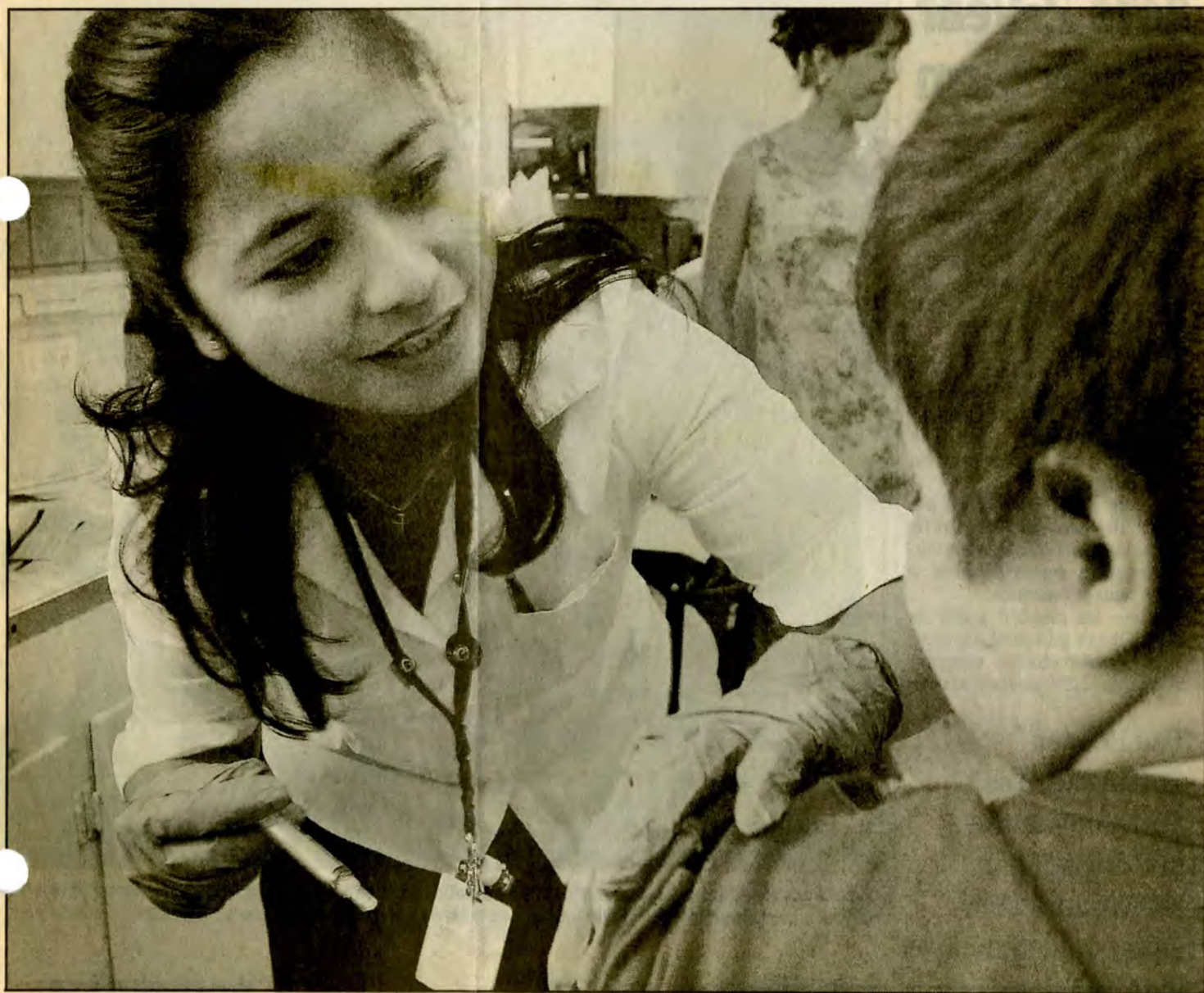
At the church on University Avenue, program participants help patients with all health needs. They provide general doctor appointments, flu shots, vision and hearing screening, medication review, diabetes testing and health education.

They will tell patients if they have ear infections or sprained ankles, and give them medicine for their pain. If they can't address a problem, they refer patients to places that can.

The center's leaders hope to

expand this holistic health care model in a new facility at St. Rita's Catholic Church near downtown. In addition to similar services provided in City Heights, the new center would train future pastors who want to work in health facilities, as well as law students interested in legal aid.

"It's incredible what we can do to shape the future of this profession," said Dr. Margaret McCahill, a clinical professor at the UCSD School of Medicine who supervises doctors in the program. "The greatest value is that these students are learning about this population. That's what will make the difference in the long run."



Victoria Buholtz, a graduate student, gave a flu shot to Hector Garcia, 9, last week at the Church of the Nazarene in Mid-City. Local college students help provide medical care for City Heights residents. K.C. Alfred / Union-Tribune



## **School of Law**

## Close-Up

# Ongoing relationships

USD's Hartwell not easily discouraged

By LAURA MALLGREN  
*The Daily Transcript*

SAN DIEGO — He hears more no's than yes's.

But that doesn't discourage Trevin Hartwell, director of development and alumni relations at University of San Diego School of Law.

Being a professional fundraiser is like being a diplomat, he said. "You bring two sides together — the donor and the charitable organization — and you get to help both realize their very best goals and aspirations," he said. "It's very rewarding to be part of that process."

The development aspect of his job is fund raising from alumni and friends of the school, the 34-year-old Los Angeles native said. His other role is handling outreach to make sure alumni remain connected and involved with the school. Hartwell said his job includes building ongoing relationships with alumni and the community, explaining the value of the law school and how gifts are used.

Overall, about 10,000 people have graduated from the law school since it opened in 1954. School officials estimate that approximately 25 percent to 30 percent of attorneys practicing in San Diego are alumni.

Hartwell, who started in June, said the school's primary goals are



Trevin Hartwell

to advance academic programs, recruit excellent faculty and attract top students.

"In order to do those things, you have to have a strong financial base," he said.

The main fund-raising projects are student aid through scholarships, professorships, clinical education programs, and a law annual fund, which provides resources for law school Dean Daniel B. Rodriguez to use where the need is the greatest.

"Scholarships help recruit outstanding students to the law school who might not have the financial means to cover tuition costs," Hartwell said. Students typically assume a substantial loan burden upon graduating. The average debt is about \$70,000. More scholarship money available helps reduce

See **Hartwell** on 6A



# Hartwell

*Continued from Page 1A*  
their loan debt, he said.

Money is raised to endow professorships. The investment income generated is used to cover a significant portion of a faculty member's compensation, depending on the size of the endowment.

Professorships typically require a substantial financial gift from a donor, he said. Such positions are usually named after the donor. Endowed professorships help the law school to add new faculty positions and recruit top legal scholars to USD.

Another fund-raising priority is for clinical education programs, which provide students with hands-on opportunities to learn lawyering skills and apply their knowledge by representing clients in actual cases under the supervision of an attorney, Hartwell said.

One of the law school's clients, the Entrepreneurship Clinic, provides students the opportunity to help low and moderate income

entrepreneurs negotiate the legal and regulatory maze of starting and running a business.

Some of the legal assistance provided includes helping clients obtain permits and licenses, researching and registering intellectual property rights and negotiating contracts and leases.

Hartwell characterized the law annual fund as a general fund for the operational needs of the law school.

"Such support is directed to student aid, faculty salaries, the clinics, journals, student counseling and other programs directly affecting students," he said.

One of the law school's goals is to increase the participation rate in giving.

"Our alumni participation rate in giving is between 8 and 10 percent," Hartwell said. "At other top law schools it's 25 percent and higher. The alumni participation rate in giving is looked at by our peer institutions, and our peer

institutions are the ones that ultimately rank where our law school stands in comparison to other schools. The participation rate is critical."

He attributed the lower percentage in alumni participation to the law school's outreach program lacking sophistication over the past years.

Most alumni seem to be more supportive of their undergraduate school than where they went to law school or graduate school, according to alum Dennis J. Doucette, a partner at **Luce, Hamilton, Forward & Scripps LLP**.

"The biggest challenge is getting them to reconnect and start contributing," said Doucette, who graduated in 1986 and chairs the law school's development committee. "Some people went to law school 20 years, 30 years ago, and haven't been back."

**[laura.mallgren@sddt.com](mailto:laura.mallgren@sddt.com)**  
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# THE REAL MUTUAL FUND PROBLEM

4154

By Frank Partnoy

Investors now know that mutual fund managers, and their friends, have been making sure-thing bets on the direction of fund prices, either during the day (called market timing) or after 4 p.m. when prices are set (called late trading).

On Wednesday, the Securities and Exchange Commission announced new rules intended to stop these practices, which experts say are as unfair as permitting people to gamble on sporting events after play has ended. Meanwhile, New York Attorney General Eliot Spitzer and other prosecutors continue to bring criminal cases against prominent offenders.

These efforts — especially the proposed new SEC rules — ignore the fundamental problem of mutual funds: prices are set just once a day. Late trading and market timing are neither new nor the result of a change in culture at funds. Instead, this “arbitrage” activity — buying low and selling high — is, and long has been, a rational response to the once-a-day pricing rule. Until that rule changes, no amount of punishment or regulation will make mutual funds fair and efficient ways for average people to invest.

Investors have been here before. During the 1920s, a few sharp-eyed arbitrageurs noticed that the value of certain mutual fund shares differed from the value of the funds’ underlying securities. Just as traders buy stocks when they believe a company’s assets are undervalued, these arbitrageurs bought funds whose prices were lower than the value of the securities the funds held.

Arbitrage made money at the expense of other fund investors, but also made prices more accurate. Anyone buying or selling a mutual fund share could be confident, at the time of trading, that the price reflected the market value of securities in the fund.

In the aftermath of the 1929

crash, regulators vilified these arbitrageurs and eventually Congress passed the Investment Company Act of 1940, which required that every fund redeem shares at “net asset value,” a number calculated at the close of trading every day. Mutual funds obediently adopted a practice known as “backward pricing,” because buyers of funds looked backward in time to find the price they would pay the following day.

This rule only energized the arbitrageurs. Net asset value was immediately stale, so traders could profit if the stocks a fund owned increased in price by buying those stocks and selling shares of the fund itself (or doing the opposite if prices declined). They did so, for nearly two decades.

In 1968, the SEC responded to public reports of arbitrageurs taking advantage of investors by requiring that funds switch to a “forward pricing rule.” Under this rule, which prevails today, funds must sell or redeem shares at a price set at the close of business each day, after orders are received.

Not surprisingly, arbitrageurs liked the forward pricing rule, too. For many years, they have engaged in late trading and market timing to profit from the difference between a fund’s actual worth and its net asset value.

The SEC’s response to the recent scandal is similar to its prior action. Its new rules target compliance and disclosure, but do not remove the profit opportunity. A handful of traders will be punished today, but tomorrow others will employ the same or similar strategies. Pointing to the venality of a few individuals misses the point: they are automatons, responding to the expected profit created by the pricing rule. Regulation and prosecution are temporary roadblocks — as soon as attention is focused elsewhere, the arbitrageurs will be back.

The simple solution is to change the once-a-day pricing rule. Mutual fund shares should be priced in the same way as other securities: continuously, not at the end of the day. If arbitrageurs can make money trading in such a market, we all should thank them for it, not throw them in jail.

Partnoy is a professor at the University of San Diego School of Law and author of “Infectious Greed: How Deceit and Risk Corrupted the Financial Markets” (Henry Holt, 2003).



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# CalPERS sues NYSE, claiming massive fraud by trade specialists

4154-San Diego  
By Craig D. Rose  
STAFF WRITER

Unit V  
**FRONT PAGE**

Adding another chapter to the ongoing Wall Street scandals, the giant California Public Employees' Retirement System yesterday filed suit against the New York Stock Exchange and its specialist trading firms, alleging that systematic fraud caused fund members to lose millions of dollars.

The nation's largest public pension fund said the trading specialists, in conjunction with the NYSE, routinely engaged in "wide-ranging manipulative, self-dealing, deceptive and misleading conduct" that hurt investors seeking to trade stocks.

Investors depend on the specialists — seven firms that fulfill orders to buy and sell 2,600 NYSE stocks — to honestly execute their trades. But the specialists also are allowed to trade for themselves, although they are barred from doing so at their clients' expense.

CalPERS alleges that the specialists traded for themselves, skimming profits that let them generate pretax profit margins of 51 percent to 69 percent.

Those hefty profits translated into high costs for NYSE customers, CalPERS said. And the biggest customers — those who trade frequently and in large volume —

A SEE CalPERS, A24



## ► CALPERS

CONTINUED FROM PAGE A1

### Stock exchange allegedly 'looked the other way'

suffered the biggest losses.

CalPERS is one of Wall Street's largest customers, with a \$154 billion portfolio.

The money lost was taken out of the pockets of firefighters, police officers and teachers, said state Treasurer Phil Angelides, a member of the CalPERS board.

"Every dollar that was stolen is a dollar that the taxpayers of California have had to make up," he said.

The CalPERS lawsuit, which did not specify a dollar amount for damages or restitution, detailed three types of improper trades allegedly conducted by the specialist firms, including "freezing" the display of prices on a given stock so a firm could trade for its own account before executing investor orders.

It also claimed "front-running," when a firm uses its knowledge of pending orders to trade ahead of their completion, and "inter-positioning," when a firm fails to match buy and sell orders to get a better price on a stock.

CalPERS President Sean Harrigan said at a news conference that the NYSE had "looked the other way" when trading rules were violated.

"We intend to seek recovery of every single dollar lost," he said.

The firms named in the suit include LaBranche & Co.; Van der Moolen; Spear Leeds & Kellogg, which is owned by Goldman Sachs Group; Fleet Specialist, a division of Fleet-Boston Financial; Bear Wagner Specialists, partly owned by Bear Stearns & Co.; Susquehanna Specialists and Susquehanna International Group; and Performance Specialist Group.

The NYSE and the Securities and Exchange Commission declined to comment on the filing. LaBranche and Goldman Sachs also had no comment.

A spokesman for Susquehanna said the two companies

should not have been named in the lawsuit.

"We believe that there is no factual basis for our inclusion in this lawsuit," said Todd Silverberg, general counsel for Susquehanna International Group.

The other specialist firms could not be reached for comment.

The lawsuit, filed in U.S. District Court in New York, comes three months after CalPERS' protests helped oust former NYSE Chairman Richard Grasso after the disclosure of his \$188 million compensation package.

The lawsuit comes at a particularly tricky time for the exchange. Today the SEC is slated to vote on the governance proposals of John Reed, the NYSE's interim chairman.

The NYSE has proposed a series of changes, including a smaller, more independent board of directors. While passage of the reforms is expected, the measures have come under fire for Reed's refusal to ask for the jobs of NYSE chairman and chief executive to be split.

In April, the NYSE launched its own investigation into

whether at least two of its specialists may have engaged in trading shares ahead of clients in a possible abuse of the exchange's trading system.

State Controller Steve Westly said the exchange needs a better trading system.

"Our patience has run out," Westly said. "The NYSE must take responsibility for its failure to govern itself."

CalPERS said it would seek to expand its lawsuit into a class-action case involving potentially millions of investors who bought or sold shares in NYSE-listed companies during the past five years.

CalPERS is represented by Milberg Weiss Bershad Hynes & Lerach, the leading U.S. class-action law firm. The firm's most prominent class-action attorney, William Lerach, is based in its San Diego office, which also prepared the CalPERS complaint filed yesterday.

"Wherever you see Bill Lerach involved as lead counsel, you're talking about real money," said Patrick McGurn, special counsel for Institutional Shareholder Services, which advises large institutional investors, including CalPERS, on corporate governance matters.

McGurn noted that many large investors, including mutual-fund giant Fidelity Investments, are dissatisfied with efforts by the NYSE to reform itself.

"California and some other states feel their concerns are not being addressed with this reform effort," McGurn said. "A lot of mainstream investors question the current trading structure at the Big Board."

A San Diego financial-markets expert said the role of Lerach and state regulators has undergone a fundamental shift.

"People are giving up on enforcement by the SEC and taking the law into their own hands," said Frank Partnoy, professor of law at the University of San Diego and author of the recently published "Infectious Greed: How Deceit and Risk Corrupted Financial Markets."



"This means that people like (New York state Attorney General) Eliot Spitzer and Bill Lerach are now the enforcers of securities law."

Partnoy said abuses by NYSE specialists had cost investors billions of dollars and predicted that revelations of more Wall Street scandals will be forthcoming.

Over the past two years, those scandals have included massive accounting fraud at Enron Corp., WorldCom Inc. and other large companies, as well as more recent revelations of illegal insider trading in the mutual-fund industry.

"The financial markets are corrupt and have been out of control for years," Partnoy said. "The problems have been swept under the rug by a weak SEC, no enforcement, no punishment and very little in the way of lawsuits."

"This is the price we pay for looking the other way for a decade."

News of the lawsuit dragged down shares of publicly traded specialist firms. LaBranche shares fell 7.1 percent to close at \$9.32, and Van der Moolen's shares closed down 6.7 percent at \$8.12.

The CalPERS complaint also noted that the price of a seat on the NYSE has plummeted by as much as 35 percent since revelations of apparent wrongdoing by specialist firms surfaced. The pension fund said the decline was caused by the awareness that profits have been bloated by illegal conduct.

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Reuters contributed to this report.

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## Skimming the mutuals

Regulators are charging a growing number of mutual funds and processing companies with two types of profit skimming. Both allow a small number of big investors to take profits that might otherwise go to people making average and small investments.



### LATE TRADING

**The law is clear:**

Investors who place mutual fund orders before the 4 p.m. EST

deadline get the share price set at that hour each day. Orders placed later get the next day's price.

- But some big hedge funds with connections have been placing orders after 4 p.m. — often after they've had the benefit of hearing important late business news that will affect the mutual fund's price — and still get the earlier share price.

- One regulator likened it to betting on a horse race after it's over.



### MARKET TIMING

- Nearly all funds say they bar the repeated purchase and sale of shares held for short

periods, a practice favored by market timers who exploit small price differences to rack up profits.

- Mutual funds publicly discouraged market timing, but regulators are finding more funds that allow the practice by hedge funds. The hedge funds often can buy an international stock fund today, with a high degree of confidence it can be sold for a profit tomorrow.

**Bottom line:** Hedge fund market timing skims profits that would otherwise be shared by all investors and raises the costs for all. Moreover, most investors are told they can't do it.

### INSIDE:

Could the proposed cure for mutual fund scandals end up being worse than the ailment? H2

# TRICKS OF THE TRADE

The SEC is cracking down on two mutual fund scams, but some fear the reforms will be ineffective

4154  
By Craig D. Rose  
STAFF WRITER  
USD

Like a night guard awakened from a sound snooze, the Securities and Exchange Commission took its first shot last week at ending one of the scams that has quietly stolen money from the vast majority of mutual fund investors for years.

But this first action may be a shot in the dark, as some fear it will be unfair and ineffective. And that's the optimistic scenario.

While many in the investment industry have been quick to assert that typical investor losses from the unfolding mutual fund scams amount to only small change, investigations continue and the scope of the damage cannot yet be determined.

Just last week, for example, New York State Attorney General Eliot Spitzer filed a complaint against Invesco Funds for allegedly allowing rapid-fire trading, called market timing, by large investors in a fund it pitched through Young Americans Bank, which caters to customers under 22, as a place to invest for the long haul.

Those large, market-timing investors

are hedge funds, unregulated investment vehicles for wealthy individuals and institutions seeking a high return through complex transactions.

In the Invesco case, the hedge funds' high trading volume added large transaction costs to the fund — costs shared by all shareholders. But the profits skimmed by flipping the shares in quick sales went only to the hedge funds.

Even worse, funds allowing market timing are often forced to sell shares at disadvantageous times. Managers may also find a need for more cash on hand than they would otherwise need.

The SEC action last week sought to slam the door on the simplest of the mutual fund scams, namely late trading. This practice allows some investors to place mutual fund trade orders after the 4 p.m. EST time deadline — when investors have had the chance to take in late-breaking news — and still get the 4 p.m. closing price.

Late trading is illegal and apparently widespread. Professor John Coffee Jr. of

SEE Mutual funds, H2



## ► MUTUAL FUNDS

CONTINUED FROM PAGE H1

### Experts urge investors to get more involved

<sup>2</sup> Columbia University, who specializes in the study of white-collar crime, said an SEC survey found that 25 percent of brokers allowed the practice.

SEC enforcement? Nil, according to a commission spokesman who said staff could not recall a single late-trading enforcement action.

New York's Spitzer, who has played the lead role in busting the scams, likened late trading to betting on a horse race after it's been run.

The SEC-proposed change would cut off trading at 4 p.m. While the so-called hard and fast rule is easiest to enforce, some say it will disadvantage smaller investors whose orders may take time to process.

An investor in San Diego with funds in a 401(k) plan, for example, might find that a trade he or she placed at noon PST time might not be completed until the next day because of processing delays. At the same time, an individual investing directly in a mutual fund might be able to get the same transaction processed the same day.

Groups including the American Benefits Council instead proposed using fool-proof electronic stamps on trade orders, which would provide auditable proof that trades were placed before the 4 p.m. market close, although they might be processed after the deadline.

The SEC also voted last week to require funds to have a compliance officer report to the board of directors and improve disclosure requirements.

Tens of millions of investors have a stake in the ability of the SEC to halt abuses. Although ownership fell slightly last year, 53 million households — about 48 percent of all homes in the United States — had mutual fund investments during 2002. More than half of those investments were retirement savings.

Randall Dodd, director of the Financial Policy Forum in Washington, D.C., noted that middle-class investors typically have about \$80,000 invested in mutuals. At that level, even scams of a small percentage quickly compound into big bucks.

Using academic studies of losses from the two key mutual fund scams, Dodd said he believes that the average middle-class investor may have lost more than \$3,500 over the past five years.

The calculation factors in what Dodd and others call mutual fund expense or commis-

sion overcharges, a whole other area of abuse, according to fund critics.

These charges take the form of management companies charging mutual fund shareholders more for advisory services, failing to provide discounts that funds claim to provide and padding expenses in other ways, Spitzer said.

In congressional testimony last month, the New York attorney general said a fund shareholder with \$100,000 could have lost \$6,000 over the past decade because of excess fees.

Spitzer said there's a connection between fees that are too high and the recently exposed scams. In exchange for their special privileges, he noted, hedge funds often agree to park money in other mutual fund investments, allowing managers to collect fees on those investments.

The attorney general further noted that although mutual fund investment grew 60-fold between 1980 and 2000, the industry's fees increased 90-fold. There have been no economies of scale, he said.

"The fees paid by mutual fund investors seem to defy the laws of economics," Spitzer said.

But investors have been largely oblivious to these fees, said Max Rottersman, presi-

SEE Mutual funds, H8



## ► MUTUAL FUNDS

CONTINUED FROM PAGE H2

### SEC has yet to deal with market timing

dent of fundexpenses.com, which tracks the cost of mutual investments.

"In California, people complained about the hundreds of dollars they paid for auto registration fees and ignored the hundreds of dollars they paid in mutual fund fees," Rottersman said.

University of San Diego law professor Frank Partnoy noted that the SEC was repeatedly warned about the scams that skimmed profits from mutual funds but did nothing. He believes that rule changes and high profile prosecutions may fail to eliminate the problems unless key incentives for scamming are eliminated.

"The authorities are not going to be able to round up everybody," said Partnoy, author of "Infectious Greed: Deceit and Risk Corrupted Financial Markets."

The key incentive, he said, is the failure of mutual funds to update their share prices continuously during the day. By setting prices just once daily, he said, fund prices are often stale in market terms and allow hedge funds to make money on

the difference between the outdated price and the price that they can predict that shares will soon reach.

Add the damage from these arbitraging schemes to what Partnoy also said are excessive fees and he concludes, "Investing in mutual funds is a mistake for most investors."

Investors with a computer and Internet access can create balanced portfolios of perhaps two dozen stocks and beat the performance of most mutual funds, Partnoy said.

To be sure, that remains a minority view among investment experts. Nearly all experts, though, believe investors should be much more active in shopping for investments.

Mercer Bullard, a University of Mississippi law professor and founder of Fund Democracy, a mutual fund investor advocate, said activism should start with a careful reading of the fund's prospectus.

"If reading it gives you a headache, it's been written to discourage understanding," Bullard said. In that case, he said, move on to another fund.

Bullard and other investment advisers recommend that investors seek funds with below average expense fees. Most suggest paying no more than 50 basis points — equivalent to 0.5 percent — for passively managed funds, or funds that seek to mimic established indexes.

University of San Diego law professor Frank Partnoy noted that the SEC was repeatedly warned about the scams that skimmed profits from mutual funds but did nothing.

For specialty funds, investors should be wary of paying more than 1 percent for expenses, unless there are compelling reasons to do so.

"It is very difficult to overcome high fees," said Dale Stephens of Grasswood Partners, a Malibu consulting firm for wealthy individuals and pension funds. "You're going to have a hard time making up for that fee in terms of performance."

But he and others say properly managed and reasonably priced mutual funds are still a good deal for most investors.

"The majority of people cannot beat a mutual fund," said Charles Foster, a principal of Blankinship & Foster, a financial planning firm in Del Mar.

"It takes more than a little bit of study. And it takes gumption to buy when others are selling and to sell when others are buying."

Foster said he prefer mutuals even for relatively affluent investors, including those with more than \$500,000 to invest.

"I'd rather have somebody with gray hair — or no hair — who has been at it for 30 or 40 years and who has the interest of investors at heart but does not overcharge for it," he said.

One point on which a sampling of investment advisers agreed was that investors should penalize those funds found to have allowed scamming by withdrawing their investments.

"Do not support a fund that is (allowing) market timing or late trading," said Neil Hokanson of Hokanson Capital Management, a Solana Beach investment adviser to pensions, nonprofits and wealthy individuals. "Pull money out of any fund that has violated the rules."

The SEC has yet to deal with

the problem of market timing, which most experts believe has been more costly to average investors than late trading.

Market timing involves large investors who perceive discrepancies between how a fund prices its shares and its actual market value. This often arises in international funds, where a 4 p.m. closing price might be based upon the share prices in markets that closed more than 12 hours earlier.

Events since the close of the Asian market might strongly suggest that the price of the shares will rise sharply, so the large investors buy shares at the stale daily price of the U.S. mutual fund set at 4 p.m. and sell them the next day for tidy profit.

Funds bar most investors from this strategy by limiting the number of trades. But Spitzer is finding a growing number of funds that made special arrangements with larger investors allowing unlimited trading.

The SEC is considering slapping a redemption fee on short-term trades of perhaps 2 percent, reducing the profit incentive for market timers.

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# Bribery question lingers in council case



Councilman Ralph Inzunza (right) walked into federal court in San Diego yesterday with his wife, Ana, and his attorney, Michael Pancer, for a hearing in the City Hall corruption case. John Gibbins / Union-Tribune

## Request to reveal evidence denied

4154  
By Kelly Thornton  
STAFF WRITER

US'D  
The question of whether prosecutors have evidence that three San Diego city councilmen accepted cash bribes from a strip club owner will remain a mystery for now.

Attorneys for Councilmen Ralph Inzunza, Charles Lewis and Michael Zucchet asked a judge yesterday to force prosecutors to reveal evidence of bribes, if such evidence exists. But U.S. District Judge Jeffrey T. Miller declined to intervene.

It has been a key issue since U.S. Attorney Carol Lam an-

nounced indictments of the councilmen and Cheetahs strip club owner Michael Galardi, his lobbyist Lance Malone and Cheetahs manager John D'Intino in August:

Does the political corruption case focus on illegal campaign contributions, or did Galardi make cash payments to the councilmen in his efforts to get the city's no-touch rule repealed?

The indictment mentions "money" but does not categorize it as campaign contributions or cash payments. Lam has consistently refused to clarify the matter, and prosecutors did the same in court yesterday.

SEE **Councilmen**, B6



## ► COUNCILMEN

CONTINUED FROM PAGE B1

### 'Bribery cases are sometimes hard to prove'

"We're not going to engage a question and answer response every time counsel asks for a specific question on a specific issue," Assistant U.S. Attorney Paul Cook told the court.

Jerry Coughlan, Zucchetto's attorney, read a portion of a letter from Cook in an attempt to sway the judge: "At this time we shall neither confirm nor deny whether the evidence will demonstrate the receipt of cash payments to the councilmen defendants."

Prosecutors Cook, Michael Wheat and Robert Ciaffa declined to discuss the matter outside court.

Lawyers for the councilmen have repeatedly said any money their clients received was legally reported as campaign donations. Coughlan said out-

side court that the reason the government isn't handing over the facts is prosecutors are unable to prove bribery. "They don't have it. If they thought they had it, they would have charged bribery."

The prosecution may have opted to allege extortion, rather than bribery, because extortion is generally easier to prove, legal experts said. Extortion is obtaining something one is not entitled to because of official position. Bribery is promising to do something in exchange for a thing of value.

"Sometimes you don't want to overcharge, even if you think you might be able to prove bribery," said Shaun Martin, a professor at the University of San Diego Law School. "You don't want to dilute your good charge with a questionable charge, and bribery cases are sometimes hard to prove."

Perhaps the prosecution uncovered evidence of bribery after the indictment, Martin and others said. Galardi, who lives in Las Vegas, and D'Intino have pleaded guilty and are cooperating with the government.

Prosecutors are in the process of releasing to the defense

thousands of hours of conversations recorded through listening devices.

But any statements made by Galardi and D'Intino would fall under the Jencks Act, which allows prosecutors to withhold from the defense witness statements, grand jury transcripts and notes from interviews until after the witness has testified. The U.S. Attorney's Office in San Diego office generally hands over such statements 30 days before trial. This case is unlikely to go to trial for at least a year.

"A lot of the disclosure rules don't require disclosure until right before trial," Martin said. "It is a common strategy to give out as little evidence as possible and make any disclosures as late as possible."

Prosecutors almost certainly will continue to avoid the bribery question, experts said.

"They don't want to give away the theory of their case," said former San Diego U.S. Attorney Charles LaBella. "They want to keep as much flexibility as possible until they go to trial."

Judge Miller was scheduled

to rule yesterday on a defense request that the prosecution turn over any instructions given to undercover operatives. The defense intended to use that information to prepare a motion alleging outrageous government misconduct.

At the heart of the misconduct issue is whether the undercover operatives tried to trick the councilmen into abolishing the rule that prohibits touching between patrons and dancers in strip clubs.

The defense says the operatives convinced the councilmen that vice detectives wanted the no-touch rule abolished because it diverted them from more serious crimes.

The prosecution says the councilmen were well aware San Diego police supported the no-touch rule, but the councilmen tried to "advance the repeal" anyway.

However, the issue became moot when prosecutors said no such instructions to operatives exist. The defense withdrew its request.

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# New State Laws May Strengthen Jackson Prosecution

NEW YORK TIMES

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By DEAN E. MURPHY

SAN FRANCISCO, Nov. 30 — A decade ago, when Michael Jackson was accused of molesting a 13-year-old boy, he paid the boy's family a handsome sum to settle a lawsuit. The criminal investigation of the accusations was later dropped when the boy stopped cooperating with the authorities.

Quentin L. Kopp, a superior court judge in San Mateo County who was a state senator at the time, was outraged by the perception that Mr. Jackson had bought the silence of his accuser. Mr. Kopp wrote legislation, backed by the Los Angeles district attorney's office, that made such arrangements illegal.

"I thought that it was against public policy for a sexual assault victim to be subject to being silenced by reason of a payment of money," Judge Kopp said. "I wanted to prevent it from occurring again."

It is unclear whether that law, which passed in 1994, has ever been tested. But it and a host of other laws could give prosecutors in Santa Barbara County a stronger hand in pursuing new accusations of child molesting against Mr. Jackson involving a 12-year-old boy, said legal scholars and veteran prosecutors not involved in the case.

Though the scholars and prosecutors could not comment on the strength of the evidence against Mr. Jackson — formal charges are not expected to be filed for at least two weeks — they said changes in state law, most of them since Mr. Jackson's previous troubles, had generally made it easier to prosecute child molesting cases.

The changes include tougher sentencing laws, which have helped persuade defendants to make deals with prosecutors, as well as relaxed requirements for admitting some types of evidence in court.

"A prosecutor today has more roads to get to the destination," said Adrian Ivancevich, an assistant district attorney in San Francisco who heads the office's sexual assault and child abuse section. "The situation has really improved."

Even so, David R. Ross, a former deputy district attorney in Los Angeles County, said he would be surprised if the new laws played a prominent role in the Jackson prosecution. Mr. Ross, who retired in 2001 after 32 years as a prosecutor, said many of the legal changes applied in rare circumstances, allowing prosecutors to nail down shaky cases that might otherwise fall apart.

But in the accusations against Mr. Jackson, Mr. Ross said he would

expect prosecutors to have built a solid case even before executing the search warrant at Mr. Jackson's Neverland ranch, if for no other reason than the intense public scrutiny their actions would receive.

"It is only important on the margin, and I am not sure it's going to be a marginal case," Mr. Ross said of the advantage given to prosecutors by the new laws. "It is either a slam dunk or it ought not have been filed."

Mr. Ivancevich, who began prosecuting child molesting cases here in 1977, said some of the most significant changes to the law came in the mid-1990's when the Legislature made exceptions to the so-called hearsay rules, which generally prevent prosecutors from introducing second-hand information at a trial.

The new laws made exceptions for statements given to medical personnel by children under 12 that describe acts of abuse as well as other statements made by children under 12 when the child is declared by a judge to be "unavailable" to testify.

In his experience, Mr. Ivancevich said, being "unavailable" could mean a number of things, including a child simply refusing to cooperate and a child being too distraught to take the witness stand.

Other child-related changes to state law include provisions that allow a child to be accompanied to the stand by an adult and the videotaping of testimony, so that it can be played instead of calling the child to testify a second time.

Gerald F. Uelman, a professor of law at Santa Clara University School of Law, said the most significant change in the law for Mr. Jackson might be one that allows prosecutors to introduce evidence of prior offenses to help show "a propensity" to commit an offense.

Professor Uelman said that changes in the evidence code could allow prosecutors in the current case to introduce evidence about the earlier accusations of child molesting. The law does not require that Mr. Jackson have been charged in those instances, the professor said.

In 1994, when Gil Garcetti, the Los Angeles district attorney, announced that charges would not be filed against Mr. Jackson in the case of the 13-year-old, he said that an investigation into the accusations had revealed two other possible victims. Mr. Garcetti strongly suggested that the accusers were to be believed.

Professor Uelman said those previous accusers could be called as witnesses in the current case, which could bolster the credibility of Mr. Jackson's newest accuser. But there



are some potential stumbling blocks, he said, particularly if the earlier accusers refused to cooperate.

Though the Santa Barbara County district attorney, Thomas W. Sneddon, suggested differently in a news conference, Professor Uelmen and other legal scholars say California law does not allow prosecutors to compel a victim of sexual abuse to testify about it. Mr. Ivancevich said that there were legal provisions that helped "nudge" a minor to the stand but that there were no guarantees.

That means prosecutors in Santa Barbara County remain locked in much the same situation of a decade ago: their case against Mr. Jackson could crumble without the cooperation of his accuser.

Prof. Robert C. Fellmeth, the executive director of the Children's Advocacy Institute at the University of San Diego School of Law, said many of the new state laws had similar shortcomings. He said the laws amounted to "small victories" for prosecutors.

The Kopp bill, for example, forbade only civil settlements that include payments made more than 12

months after a settlement was reached. The intention was to block long-term financial arrangements that might keep victims quiet, but it allows up-front payments that could have the same effect, said Professor Fellmeth, a former prosecutor.

"We are making baby steps," Professor Fellmeth said. "The problem is, the only time we get any attention paid to our clients, in Sacramento or anywhere else, is when some celebrity does something to one of them."

Gloria L. Gruber, president of Prevent Child Abuse California, an advocacy group, said she shared that frustration, but also saw opportunity in it. She said one of the most important advances made in recent years in preventing child abuse was removing the public stigma about discussing the issue. Regardless of the outcome of the case in Santa Barbara or the debate over the significance of the new state laws, Mr. Jackson's case has furthered that discussion, she said.

"Prevention is the key, and education is the key to prevention," Ms. Gruber said. "In that respect, things are getting better and not worse."



# Retiring judge wants to continue reforms

## Dependency court model shows promise, has critics

By Greg Moran  
STAFF WRITER

In his chambers at Juvenile Court recently, Judge James Milliken proudly showed off a trio of plaques propped on a corner of his desk.

They were colorful and intricate designs, made on computers by students at San Pasqual Academy, the county's boarding school for foster youths that Milliken has championed.

The plaques came with a thank-you note to the judge, wishing him well in retirement.

Milliken laughed dryly when he noted that he received such warm thanks from disadvantaged children, but he is not ex-

pecting similar responses from some judicial organizations.

It was said tongue-in-cheek. Over the years Milliken has received numerous awards from legal organizations such as Consumer Attorneys of America, National Drug Court Professionals and California Parole and Probation Officers.

But it also reflects the lot of a judge who admirers say is energetic and opinionated, and who detractors say, off the record, can be bossy, intolerant and egotistical.

Milliken retired after 15 years on the bench. He said he wants to do some private mediation work, but that his efforts largely will focus on trying to spread the reforms he brought to the county's dependency courts to others in the state.

Milliken's tenure was marked by reforms in criminal courts, in juvenile delinquency and most prominently in juvenile dependency.

He was appointed to the bench in 1988 by Gov. George Deukmejian after working as a civil attorney in San Diego. Milliken, 59, has been the presiding judge for the Superior Courts, the Juvenile Court and most recently Family Court.

But his most wide-ranging effects have been felt in dependency court, which is part of the Juvenile Court system. It is for parents who neglect or abuse their children. The reforms center on a model of aggressively treating substance abuse by parents and enforcing time lines for them to get their lives in order or risk losing their children.

Since the reforms were introduced in 1998, the time for processing dependency cases has been cut from about 38 months to 19 months. That, in turn, has led to shorter stays in foster care for children,

SEE Milliken, B4



## ► MILLIKEN

CONTINUED FROM PAGE B1

### Retiring judge says he'll pursue court reforms A

who are removed from their parents' care while a case is pending.

Milliken points to a study funded by the U.S. Department of Health and Human Services that shows the savings attributed to the program. In a sample of 50 cases from before the reforms and 50 from after, the study found the county saved \$1.5 million in foster-care costs.

The study is part of a four-year analysis of substance-abuse programs in courts at four sites around the country. The report states that it is too early to fully attribute the results in San Diego solely to Milliken's model, but it calls the results "striking" and said the approach likely had "a substantial effect" on the cost savings.

Data from April 1998 through June 2003 show that more than 4,000 parents participated in the court-ordered substance-abuse program in San Diego. Of those, 55 percent were reunited with their children — a percentage Milliken says shows that his plan works.

Milliken said he initiated the program after learning that about 80 percent of all the parents who come through the dependency court have a substance-abuse problem. Parents would often ignore court-ordered treatment programs, in

large part because there was a shortage of treatment places available, he said.

That led to many court orders requiring drug counseling that were not being followed or enforced. Milliken moved to change that, first by gaining access to more treatment facilities by contracting with a private provider.

Then, he ordered judges to enforce the court orders. By mandating a parent's participation in a drug treatment program through court order, a violation of the treatment plan — by not showing up, or testing positive for drug use — could lead to a contempt-of-court charge.

For Milliken, it all made sense.

"We were expecting addicted, immature parents to get their own selves into treatment," he said of the earlier system. "You have to have discipline and clarity for parents and give them the opportunity to comply."

With that came one of his more controversial measures: Parents in treatment who tested positive for drug use could be thrown in jail for contempt of court.

The jail stay lasted a little more than a day, but Milliken said it helped get the message across. "We keep them in long enough to get their attention," he said.

The jail time had an "extremely salutary affect" on parents, Milliken said, and also gave substance to a judge's order — another key component of the reform.





**Superior Court Judge James Milliken stood in the witness box in his courtroom, surrounded by Juvenile Court employees at a retirement lunch last month.** *Jerry Rife / Union-Tribune*

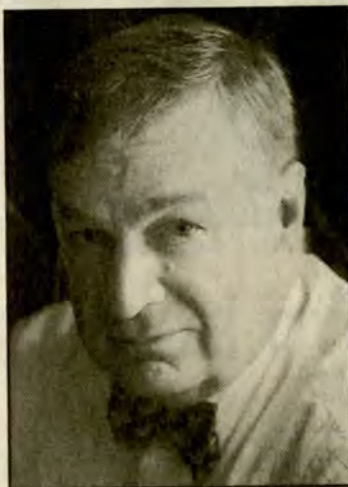
"It's simple jurisprudence," Milliken said. "I mean, you don't have to go to law school to know if you make a ruling, you have to be willing to enforce it."

The message got through, said Mary Ellen Attridge, head of the juvenile division for the Office of the Alternate Public Defender, which represents parents in dependency court.

"He changed the culture in that people know the court is serious," Attridge said. "There had been a time when you could almost come to court drinking a Thunderbird and still have a good chance at getting your kids back."

But jailing parents, even for a short time, for a positive drug test has been criticized by some as being too harsh. One attorney said the problem with the jail sanction is that it is difficult to know if parents are complying with the court orders because they want their children back or just because they want to stay out of jail.

Even Milliken acknowledges that some see him as "the Bill O'Reilly of dependency court," a reference to the talk-show host's no-nonsense, no-cod-



**Judge James Milliken**

dling critiques of social welfare. Milliken shrugs that off, saying the focus of the reforms has been to shorten the time children spend in foster care.

Parents who fail in their family reunification plans lose their parental rights, and their children can be put up for adoption. Since the reforms were put in place, adoptions in the county have skyrocketed, from 249 in 1994-95 to 691 in 2002-03.

Robert Fellmeth, executive

director of the Children's Advocacy Institute at the University of San Diego, said the results of Milliken's reforms seem to be encouraging.

Milliken has been an important advocate on state legislation, such as reforming education in group homes, Fellmeth said. Overall, he called Milliken an "interesting, different, creative and possibly very important jurist."

The judge also left a mark on the criminal courts.

As the presiding judge in downtown San Diego, Milliken changed the way private attorneys appointed in death-penalty cases were paid, from an hourly rate to a flat fee. The hourly system was criticized as too expensive.

In Family Court, Milliken said, he instituted a new case management system that moves cases along faster. He added new judges and more court facilitators, people who help those representing themselves with the paperwork and other court requirements.

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HEADLINE: From Moonwalk To Perp Walk

BYLINE: By David J. Jefferson and Andrew Murr; With Jennifer Ordonez, Mark Miller and Allison Samuels

HIGHLIGHT: 'One more chance': The King of Pop has a new single. Prosecutors have a new child-molestation case. How Michael Jackson met his accuser--and drew a charge that could send him to Neverland for good.

BODY:

The young boy lay in bed in a Hollywood hospital with a tumor in his belly and a death sentence on his head. "The doctors gave him two weeks to live," says Jamie Masada, a comedy-club owner who had befriended the boy and his family when a social worker referred them to a summer camp Masada runs for underprivileged kids. Hoping to boost the boy's will to live, Masada made a deal with him: start eating and build up your strength, and I'll introduce you to any star you want. "His wish was to meet Chris Tucker, Adam Sandler and Michael Jackson," Masada says.

Getting comedians Tucker and Sandler was no problem for the club owner, but he had no idea how to reach the King of Pop. "I called everyone I know to see if anybody knew Michael," Masada says. Eventually he got the number for Neverland ranch and found a staffer. "Please, do me a favor. The kid is dying," Masada implored. He explained that the boy's story would be on the local news that night in connection with a blood drive he'd helped organize. "Can somebody watch and tell Michael about it, and if Michael wants to call him and make him feel better, I would appreciate it," Masada begged.

Three years later Masada must be wishing he'd never made the call. After surviving his fight with cancer, the boy, now 13, is facing another epic battle: this time as the alleged victim in the sexual-molestation case against Michael Jackson, several people close to the matter tell NEWSWEEK. According to the sources, the boy claims that Jackson molested him on a number of occasions during his visits to the ranch. One of the sources says Jackson served the boy wine. Jackson's friendship with the boy was first revealed last February in a British documentary in which the two appeared holding hands and talking about how the boy and his younger brother had slept in Jackson's bed. Both Jackson and the boy insisted there was nothing sexual about these visits, and in the media firestorm that followed the broadcast, the boy's mother came forward to defend the singer. But the mother now says she began pulling her family away from Jackson when, in the aftermath of the documentary, his camp offered to relocate the family to Latin America to avoid the media glare--going so far as to secure passports for her and her three children--a family friend told NEWSWEEK. "They were trying to shut them up," says the friend, who has been in contact with the mother in recent days. The authorities were brought in after the boy revealed his allegation against Jackson to a therapist, sources say. Jackson's attorney Mark Geragos, who is also representing Scott Peterson, declined to comment. After his handcuffed client was booked Thursday on multiple counts of child molestation, Geragos told the media throng that Jackson insists the boy's allegations are a "big lie."

The accusations are strikingly similar to those brought a decade ago by another 13-year-old boy, except in one significant respect: this latest accuser isn't suing the superstar for money. Though his mother, according to the family friend, had been in contact with the same lawyer who represented the plaintiff in the 1993 civil case, she and her son opted instead to cooperate with Santa Barbara County District Attorney Thomas Sneddon Jr. in pursuing criminal action. Sneddon had investigated Jackson a decade ago, after accusations that the singer had engaged in masturbation and oral sex with the first complainant. But that boy settled his civil case with the singer for a reported \$20 million and declined to cooperate in the criminal probe, and the D.A. didn't file any charges against Jackson, who vehemently denied the allegations. This time Sneddon has the cooperation of a boy who is willing to take the stand, giving the D.A. the



ammunition he needs to charge Jackson with multiple counts of "lewd and lascivious conduct" with a minor. Moreover, California legislation was changed in the wake of Jackson's settlement a decade ago, making it more difficult, but not impossible, for alleged child abusers to arrange big-money settlements that could short-circuit criminal prosecutions. It was with more than a bit of swagger that Sneddon, in announcing that an arrest warrant had been issued for Jackson, joked that the singer should "get over here and get checked in." Jackson was in Las Vegas at the time, shooting a music video in connection with last week's release of a new greatest-hits album. (The song, "One More Chance," was written by Jackson's friend R. Kelly, who has had his own trouble with sex and minors. Kelly has been charged with child pornography--possessing images of himself consorting with underage girls--in Illinois and Florida. He denies wrongdoing.)

While the 45-year-old Jackson has acknowledged that he allows children to sleep in his bed, he has denied having any sexual contact with minors. Asked by the documentary's maker, Martin Bashir, whether his sleeping with children was "right," the performer replied defensively, "It's very right. It's very loving. That's what the world needs now, more love." But that behavior, coupled with the latest allegations, helped prompt activist lawyer Gloria Allred on Friday to demand that child-welfare officials in Santa Barbara take custody of Jackson's own children. In similar cases, children are routinely removed from the home, says law professor Robert C. Fellmeth, director of the Children's Advocacy Institute in California, especially when the accused is "charged with multiple counts of molestation of a young child and the offense is alleged to have taken place in the home." Jackson has been married and divorced twice, first to singer Lisa Marie Presley, then to dermatology nurse Debbie Rowe, who is the mother of two of his children, son Prince Michael I, 6, and daughter Paris, 5. (The identity of the mother of Jackson's third child, Prince Michael II, is unknown.)

Jackson isn't the only one coming under attack for his parenting skills. The accuser's mother has been widely criticized for allowing her children to stay alone with Jackson at Neverland. Last week a lawyer for her ex-husband pledged to help his client regain custody of the children, claiming that the mother had endangered their safety by allowing the unsupervised sleepovers. "That alone represents reckless abandonment of your parental duties," the attorney, H. Russell Halpern, tells NEWSWEEK. Halpern further alleges that the mother has coached the children in the past to make untrue statements in legal cases, once in a slip-and-fall suit against a chain store, and later during her acrimonious divorce battle, which began in 2001. The mother, who has been in seclusion with her children, could not be reached for comment. But the father has his own credibility problems. In 2001, he pleaded no contest to a charge of wife-beating and was sentenced to attend domestic-violence counseling. The following year, he pleaded guilty to a misdemeanor charge of willful cruelty to a child in an incident involving his daughter. In a court filing seeking a restraining order against him, the mother claimed that "instances of violence in our marriage were a daily occurrence." Little wonder, perhaps, that Neverland, with its carnival rides and soft-spoken, childlike proprietor, seemed like Eden.

In fact, Jackson's fantasyland had been crumbling on the inside for some time, at least financially. Even as he was playing host to the young cancer patient, Jackson was scrambling to fend off creditors who wanted to repossess his beloved carnival rides, according to a lawsuit filed against him in 2002 by an investment adviser. His net worth, once reportedly as high as \$750 million, by last year had shrunk to \$350 million, according to Forbes magazine. By late 2000 the singer had borrowed \$200 million from Bank of America, secured by his half of a partnership with Sony that owns, among other things, publishing rights to more than 200 Beatles songs, according to court documents. There is much speculation in the music business that Jackson could lose his half of the Beatles catalog to Sony if his financial woes continue, especially as his legal bills mount. Sales of his own music certainly have not made much of a dent lately. His most recent album of new material, 2001's "Invincible," cost a reported \$30 million to make and, according to Nielsen SoundScan, sold 2.1 million copies in the United States--strong for most artists, but less than a tenth of what Jackson's 1982 "Thriller" sold domestically.

As he imagines the legal ordeal that lies ahead, Masada can only wonder about the role he played in making a dying kid's wish come true. "You hate to think you may have brought him to the lion," he says ruefully. Only one thing is clear to Masada: no good deed goes unpunished.

GRAPHIC: PHOTO: HIS STORY: Neverland, scene of the alleged crime; Jackson dangling Prince Michael II; District Attorney Sneddon clearly enjoying the case

LOAD-DATE: November 25, 2003



# 2 strip clubs seek damages from Cheetahs

By Jennifer Davies  
STAFF WRITER

Strip club Cheetahs and its owner Michael Galardi have not only run afoul of the law, they've also upset their closest competitors.

Deja Vu Showgirls and Convoy, two strip clubs located within a close radius of Cheetahs in Kearny Mesa, recently filed suit in federal court, claiming that the embattled strip club has hurt their business by flouting the city's no-touch ordinance and other workplace regulations.

Cheetahs has been at the center of a political corruption case since Galardi and three San Diego City Council members were accused of conspiring to repeal a no-touch rule at strip clubs. Galardi has pleaded guilty to conspiracy to commit wire fraud and has agreed to testify against others in the case.

The suit filed by the two strip clubs contends Cheetahs' business practices "are unlawful, unfair and fraudulent" and "have caused past harm and pose the threat of future harm."

SEE Cheetahs, C5

## ► CHEETAHS

CONTINUED FROM PAGE C1

## Suit contends some wages substandard

The suit seeks unspecified damages and asks that a third party be appointed to make sure Cheetahs is run properly.

A San Diego lawyer for Galardi did not return a call seeking comment on the suit.

In their suit, Deja Vu Showgirls and Convoy say that while they worked hard to enforce a city ordinance enacted in November 2000 that bans adult entertainers from intentionally

touching a customer, Cheetahs' management did not require its dancers to obey the rule. In addition, Cheetahs and its agents paid bribes to one or more San Diego officials to avoid detection of this illegal conduct, the suit says.

The lawsuit claims that because Deja Vu Showgirls and Convoy enforced the no-touch ban, their customers and revenue "dropped off precipitously."

In addition, the suit says Cheetahs failed to maintain appropriate records, did not pay adequate wages to some employees, and did not provide workers' compensation or unemployment insurance. The suit alleges Cheetahs required employees to make cash payments to other employees but

did not account for those payments in its books or records. Specifically, the suit says entertainers are required to make a daily cash payment of \$25 to Michael Galardi but Cheetahs did not keep records of these payments.

Peter Luster, an industry consultant who works with Deja Vu nightclubs, said the suit was important to highlight the fact that most adult entertainment venues operate lawfully.

"Our Mayor Dick Murphy said it best: When one of us is accused, we all suffer collectively," he said. "That's the only comment I would have."

Shaun Martin, a professor at the University of San Diego Law School, said the lawsuit appeared to have merit.

"The lawsuit isn't frivolous," said Martin. "It is very plausible that they could get damages."

While Deja Vu Showgirls and Convoy should be able to prove the bribery charges, Martin said, he was surprised that the clubs brought up the wage and employee records claims. By raising those issues, the two clubs will have to open up their books and release a variety of details about their own businesses.

"Your own house best be cleaned if you raise these kinds of issues," Martin said. "These kind of businesses usually prefer less limelight, not more."

Jennifer Davies: (619) 293-1373;  
jennifer.davies@uniontrib.com



# Winfield Harry Johnson, 83; active in civil rights, educational pursuits

By Jack Williams  
STAFF WRITER

Winfield Harry Johnson's commitment to education was no less profound than his support of civil rights.

In the early 1950s, he became one of the San Diego Police Department's first black officers after applying several times.

"He was campaigning to open doors," said his wife, Betty Mae.

Decades later, while working in management for Solar Turbines, he earned bachelor's and master's degrees in business and received an honorary doctorate in humane letters at National University.

Mr. Johnson, who went on to become chairman of the National University board of directors, died Wednesday at Alvarado Hospital Medical Center. He was 83.

The cause of death was complications from various ailments, including congestive heart failure, his wife said.

During 55 years in San Diego, Mr. Johnson served as president of the San Diego Race Relations Society and served as a mentor for Links Inc., a program that provides social and cultural programs for black youngsters.

He served on the boards of directors of the Elementary Institute of Science and the Family Service Association and was president of the Solar Founders Club, an association of retirees.

Mr. Johnson, a longtime Skyline-area resident, was born in Homestead, Pa. He grew up in Tucson, where he graduated from high school in 1937.

After two years at the University of Arizona, he joined the war effort and built and repaired submarines at Mare Island in Vallejo.



Winfield Harry Johnson

In 1948, he moved to San Diego to be closer to his twin brother, Garfield. When his brother died a decade later, he assumed the role of surrogate father for his brother's four children.

Mr. Johnson joined what was then Solar Aircraft after a year at the San Diego Police Department. Working as a machinist, he was soon promoted to a management role. He retired in 1980.

During the 1950s, he studied law at the University of San Diego School of Law. He left before earning a degree due to

financial considerations, his wife said.

In addition to his wife of 54 years, survivors include his daughter, Kathy White of San Diego; son, Garwin Johnson of San Diego; sister, Rena Haynes of Los Angeles; and four grandchildren.

Visitation is scheduled for 9 a.m. today at New Creation Church, 3115 Altadena Ave., San Diego. Services will follow at 11 a.m.

Jack Williams: (619) 542-4587;  
jack.williams@uniontrib.com

**ORLANDO BUSINESS  
JOURNAL**

ORLANDO, FL  
WEEKLY 10,542  
DEC 12 2003

4154 **LAW**

**Richard Danley** joined Lowndes, Drosdick, Doster, Kantor & Reed P.A. in an of counsel capacity. His practice areas include real estate transactions, development and finance. Richardson earned his law degree from the Universi-



**Richard Danley**



**Derek Kurtz**

ty of Wisconsin Law School. He was admitted to The Florida Bar in 2000 and also has memberships with the State Bar of Texas and the State Bar of Wisconsin. **Derek Kurtz, Morris Richardson, Matthew Blackshear** and



**Morris  
Richardson**



**Matthew  
Blackshear**

**Alexander Dobrev** have also joined the firm. Kurtz will practice in real estate transactions, development, finance and commercial leasing. He earned his law



**Alexander Dobrev**

degree, cum laude, from the University of San Diego School of Law. He was admitted to The Florida Bar in 1998. Kurtz is also a member of The State Bar of California. Richardson practices in general litigation. He received his law degree from Vanderbilt University School of Law and was admitted to The Florida Bar in 2000. Blackshear earned his law degree from Florida State University College of Law and was admitted to The Florida Bar in 2003. Dobrev will practice in real estate, corporate and securities areas. Dobrev earned his law degree from Georgetown University Law Center. He was admitted to The Florida Bar in August 2001. Languages in which he is fluent include Bulgarian and Russian.



## STUDENT LAWYER

CHICAGO, IL  
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DECEMBER 2003

### BUSINESS LAW 4154

#### Capital University

*Duration:* 1 year FT; 2½ years PT  
*Tuition:* \$18,240 (total)  
*Application deadline:* rolling admissions  
*Contact:* Mary E. Ming, Executive Director  
Graduate Law Programs  
Capital University Law School  
303 E. Broad St.  
Columbus, OH 43215  
614-236-6402  
614-236-6970 (fax)  
gradtax@law.capital.edu  
www.law.capital.edu

#### Loyola University Chicago

*Duration:* 1 year FT; 2 years PT  
*Tuition:* \$886/credit hour (2003-04)  
*Application deadline:* June 1  
*Contact:* Shawn Mercer-Dixon

Program Coordinator  
Loyola University Chicago  
School of Law  
1 E. Pearson St.  
Chicago, IL 60611  
312-915-7837  
312-915-7201 (fax)  
smerc@luc.edu  
www.luc.edu/schools/law

#### University of San Diego

Business and Corporate Law  
*Duration:* 1 year FT; 2-4 years PT  
*Tuition:* \$23,160 for 24 credits  
*Application deadlines:* May 1 for summer;  
July 1 for fall; Dec. 1 for spring  
*Applicants notified of acceptance by:* rolling  
admissions  
*Contact:* University of San Diego School of Law  
Graduate Programs  
Sue Presley Bohanon  
Student Services Coordinator  
Warren Hall, Room 207  
5998 Alcalá Park  
San Diego, CA 92110  
619-260-4596  
619-260-4515 (fax)  
llminfo@sandiego.edu  
www.sandiego.edu/usdlaw/grad

## STUDENT LAWYER

CHICAGO, IL  
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### CRIMINAL LAW 4154

#### University at Buffalo

*Duration:* 1 year FT; 2½ years PT  
*Tuition:* \$11,700 (residents); \$17,400 (nonresidents)  
*Application deadlines:* Oct. 1 for spring; May 1 for fall  
*Contact:* Johanna Oreskovic  
Director of Post-Professional Education

University at Buffalo Law School  
The State University of New York  
529 John Lord O'Brian Hall  
Amherst Campus  
Buffalo, NY 14260  
716-645-2527  
716-645-2064 (fax)  
criminal-law@acsu.buffalo.edu  
<http://wings.buffalo.edu/law/bclc>

#### University of San Diego

General LL.M. with concentration in criminal law  
*Duration:* 1 year FT; 2-4 years PT  
*Tuition:* \$23,160 for 24 credits  
*Application deadlines:* May 1 for summer; July 1 for fall; Dec. 1 for spring  
*Applicants notified of acceptance by:* rolling admissions  
*Contact:* Sue Presley Bohanon  
Student Services Coordinator  
University of San Diego School of Law  
Warren Hall, Room 207  
5998 Alcalá Park  
San Diego, CA 92110  
619-260-4596  
619-260-4515 (fax)  
llminfo@sandiego.edu  
[www.sandiego.edu/usdlaw/grad](http://www.sandiego.edu/usdlaw/grad)



## STUDENT LAWYER

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### INTERNATIONAL LAW

#### Albany Law School <sup>4454</sup>

*Duration:* 3 years FT; PT study available  
*Tuition:* \$900/credit  
*Application deadline:* rolling admissions  
*Contact:* Dawn Chamberlaine  
Assistant Dean  
Admissions and Financial Aid  
Albany Law School  
80 New Scotland Ave.  
Albany, NY 12208  
518-445-2326  
518-445-2315 (fax)  
admissions@mail.als.edu  
www.als.edu/admiss

#### American University

International Legal Studies  
*Duration:* 1 year FT; PT varies (24 credits must be completed)  
*Tuition:* \$25,608  
*Application deadlines:* May 1 for fall; Oct. 1 for spring  
*Applicants notified of acceptance by:* within 4-6 weeks of completed application materials  
*Contact:* Christina Krieg  
Admissions Coordinator  
International Legal Studies Program  
American University  
Washington College of Law  
4801 Massachusetts Ave. N.W.  
Washington, DC 20016  
202-274-4110  
202-274-4116 (fax)  
llminfo@wcl.american.edu  
www.wcl.american.edu/ilsp

#### Golden Gate University

International Legal Studies  
*Duration:* 1 year FT; 2-4 years PT  
*Tuition:* \$21,048  
*Application deadlines:* July 1 for fall; Nov. 3 for spring  
*Contact:* Christopher Jones  
Golden Gate University School of Law  
536 Mission St.  
San Francisco, CA 94105  
415-442-6607  
415-495-6756 (fax)  
ils@ggu.edu  
www.ggu.edu/law

#### Hofstra University

*Duration:* 1 year FT; 2 years PT  
*Tuition:* \$29,826  
*Application deadline:* June 30

*Contact:* Tina Sneed  
Assistant Dean for Enrollment Management  
Office of LL.M. Admissions  
Hofstra University School of Law  
121 Hofstra University  
Hempstead, NY 11549  
516-463-5916  
llmadmissions@hofstra.edu  
www.hofstra.edu/law/llm.html

#### University of Houston

*Duration:* 1 year FT; 3 years PT  
*Tuition:* (subject to change) \$9,842 (residents); \$12,652 (nonresidents)  
*Application deadlines:* March 1 for fall; Oct. 1 for spring  
*Applicants notified of acceptance by:* mid-April for fall; early November for spring  
*Contact:* University of Houston Law Center  
LL.M. Program  
100 Law Center  
Houston, TX 77204  
713-743-2081  
713-743-2194 (fax)  
llm@uh.edu  
www.law.uh.edu/llm

#### University of Miami

*Duration:* 1 year FT; up to 5 years PT  
*Tuition:* \$27,478 FT; \$1,199/credit hour PT  
*Application deadline:* June 1  
*Applicants notified of acceptance by:* rolling admissions; FT and PT candidates admitted for fall or spring  
*Contact:* Janet Stearns, Director  
International and Foreign Programs  
University of Miami School of Law  
P.O. Box 248087  
Coral Gables, FL 33124  
305-284-5402  
305-284-5497 (fax)  
intl-llm@law.miami.edu  
www.law.miami.edu/ifp

#### New York University

International Legal Studies  
*Duration:* 1 year FT; up to 5 years PT  
*Tuition:* \$34,040  
*Application deadline:* April 1  
*Contact:* Kenneth Kleinrock  
Assistant Dean for Admissions  
New York University School of Law  
Graduate Admissions  
110 W. Third St.  
New York, NY 10012  
212-998-6060  
212-995-4883 (fax)  
www.law.nyu.edu

#### University of San Diego

*Duration:* 1 year FT; 2-4 years PT  
*Tuition:* \$23,160 for 24 credits  
*Application deadlines:* May 1 for summer; July 1 for fall; Dec. 1 for spring  
*Applicants notified of acceptance by:* rolling admissions  
*Contact:* University of San Diego School of Law

Graduate Programs  
Sue Presley Bohanon  
Student Services Coordinator  
Warren Hall, Room 207  
5998 Alcalá Park  
San Diego, CA 92110  
619-260-4596  
619-260-4515 (fax)  
llminfo@sandiego.edu  
www.sandiego.edu/usdlaw/grad

#### Temple University

Transnational Law  
*Duration:* 1-4 years; FT or PT in Philadelphia or Tokyo  
*Tuition:* \$19,008; \$792/credit  
*Application deadlines:* June 1 for fall; Oct. 31 for spring  
*Contact:* Graduate and International Programs  
Temple University Beasley School of Law  
Room 710, Klein Hall  
1719 N. Broad St.  
Philadelphia, PA 19122  
215-204-1448  
215-204-2282 (fax)  
intl@temple.edu  
www2.law.temple.edu/page.asp?page=transnationallaw

#### University of Texas at Austin

Latin American and International Law  
*Duration:* 1 year (FT only)  
*Tuition and fees:* \$10,064 (residents); \$17,744 (nonresidents) (2003-04)  
*Application deadline:* Feb. 1 for fall; no spring admissions  
*Contact:* Terri LeClerc  
Director of International Programs  
University of Texas School of Law  
Austin, TX 78705  
512-232-1262  
512-475-7970 (fax)  
LLM@mail.law.utexas.edu  
www.utexas.edu/law

#### Willamette University

Transnational Law  
*Duration:* 1 year FT  
*Tuition:* \$22,500 (total)  
*Application deadline:* rolling admissions  
*Contact:* James A.R. Nafziger  
Director of International and Graduate Programs  
Office of Admissions  
Willamette University College of Law  
245 Winter St. S.E.  
Salem, OR 97301  
503-370-6282  
jnafzige@willamette.edu  
llm-admission@willamette.edu  
www.willamette.edu/wucl/llm

## STUDENT LAWYER

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## TAXATION 4154 1758

### University of San Diego

*Duration:* 1 year FT; 2-4 years PT

*Tuition:* \$23,160 for 24 credits  
*Application deadlines:* May 1 for summer;  
July 1 for fall; Dec. 1 for spring  
*Applicants notified of acceptance by:* rolling  
admissions  
*Contact:* University of San Diego School of Law  
Graduate Programs  
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## Burl Stiff

# This year's Hellenic Ball turned into an Olympic fete



"Whispers from Olympia" is what they called this year's Hellenic Ball.

But the ball's link to Olympia — and to the 2004 Olympics in Athens — was, in fact, stronger than whispers.

Three guests of honor were athletes from the U.S. Olympic Training Center in Chula Vista:

Micah Harris, a specialist in the 110-meter and 400-meter hurdles, is 24 and hails from Tempe, Ariz.

Jeanne and Marie Mijalis, who are aiming for laurels in the sport of canoe/kayak, are 22-year-old twins from Miami. Both will earn degrees from the University of San Diego at the end of this year.

And Alexander Cremidan, son of Hellenic Ball co-chairs Christine and Alex Cremidan, is a candidate for the first Greek Olympic baseball team.

Chairing the Hellenic Ball with the Cremidans were Marianne and Michael Pecos. The celebration attracted 200 guests to the Manchester Grand Hyatt, and the money earned will go to the Hellenic Educational Endowment Fund and the U.S. Olympic Training Center.

Among the guests were Penny and Nicholas Alexander, Marianne McDonald, Angie and John Anas, Alexia and Paul Anas, Vickie and Nick Anastasopoulos, Frances Bakay, Contance and Peter Fellios, Glenna and Bill Brewer, Joy and Stephen Brown, Nancy and Dr. Spiro Chaconas, Judy and Aubrey Burer, Marina and William Bush, Michelle Pecos, Christopher Pecos, Nicole Cremidan, Joyce Deneris, Jan and Judge Ron Domnitz, and Katherine and Dr. Tom Foster.

The party's graphics — invitations, programs and such — were inspired by "Winged Victory of Samothrace," the fa-



Christine and Alex Cremidan (at left) with Marianne and Michael Pecos at the Hellenic Ball 2003. *Matthew Bowler*

mous sculpture of a winged victory that's in the Louvre.

Each table in the Hyatt ballroom was centered with a replica of the victory's wings, rising from an arrangement of white roses.

Music was provided by the Benny Hollman Orchestra, and by a group called Ellas when it was time for Greek dancing.

Mary and George Koulaxes were there (he's president of the Hellenic Cultural Society), and so were Carolyn and Ben Grage, Patricia and George Karetas, Katerina and Elliot Grossman, Athena Harmnan and John Law, Dr. Roza Hayduk, Mary and George Marinis, Mary and James Mastorkos, Patricia and William Moises, Irene and Evan Mylon-

as, Penny and George Nicholas, Mary and Michael Pappas, Jeannie and Gerry Ranglas, Jeannette Rigopoulos, Joan and Dr. Louis Dimas, Mary and David Ruyle, Sofia and Theodore Samouris, Elaine and Dimitri Jeon, Caroline and George Koumaras, Angela and Dr. Al Sarantinos, Helen and Dr. John Seelig, and Stella and Judge Henry Wien.

The dinner menu included a Greek salad with a fresh oregano dressing, and Cornish game hen with wild rice stuffing and a mushroom sauce.

Dessert was not Baked Alaska but Baked Olympus, accompanied by Greek pastries donated by the Athens Market Cafe and the Athens Market Taverna.



# THE NEW SAT

Listen up, sophomores: In 2005, the SAT format is gonna change!

By Renée Euchner

**Q: I heard that they are changing the SAT. When will the new test be introduced? How can I possibly study for a test that is changing?**

**A:** "The new PSAT will first be given in October 2004. This will be followed by administration of the new SAT in March 2005," says Kristin Carnahan, director of external communications for The College Board. These dates—new PSAT: October 2004, new SAT: March 2005—should settle **spurious** rumors about the new tests.

## Who is affected

Juniors and seniors: Take it easy; the changes won't affect you!  
Sophomores (class of 2006): Yours will be the first class to experience the new tests. When you take the PSAT in October 2004, it will be the new one.

## Reactions to the new tests

"The new tests will reflect changes that have been decided upon by The College Board and a **consortium** of institutions," declares Carnahan. "Overall, we've had a positive reaction to the changes."

"I think that The College Board is trying to be more responsive to school curriculums," comments Stephen Pultz, director of admissions at the University of San Diego in California. "The current test is not subject-driven; it does not represent what the students actually learned."

Although the new tests have yet to be written, The College Board has been **candid** about future test changes. You can't use lack of knowledge as an excuse not to prepare. For further details, check out [www.collegeboard.org/about/newsat/newsat.html](http://www.collegeboard.org/about/newsat/newsat.html). Adds Carnahan: "Many things will remain the same."

## Current tests

The current PSAT and SAT **comprise** two main sections: math and verbal. The math section tests basic arithmetic, algebra I and geometry. Most of the math questions are multiple choice, including quantitative comparison problems.

The verbal section currently offers verbal analogies (apple:core :: flower:stem), single and double critical reading passages and paragraph completions. The PSAT also has a separate writing section that tests grammar and writing skills via multiple choice questions; no writing is involved.

## Basic changes

In the new PSAT and SAT, math quantitative comparison problems are out, algebra II problems are in, and there will be no trigonometry questions. The term "verbal" is out, and the term "critical reading" is

in. Analogies are out, to be replaced by shorter reading passages (in addition to the longer reading passages).

The most important change is that the SAT I will now require a 25- to 30-minute essay, thereby extending the test time to approximately three and a half hours. The PSAT will continue to have a multiple-choice writing section without an essay. As a result, the timing of the PSAT will be reduced by five minutes. Test fees may increase by \$10 to \$12 per test.

## What is so important about writing?


"We welcome the emphasis on written communication," says Keith Todd, director of undergraduate admission at Northwestern University. "In any academic major, students need to come to college ready to undertake sophisticated writing, research and argumentation."

"Frankly," adds Robert Backley, director of admissions at Clemson University in South Carolina, "Writing in our society is becoming a lost art. ...An increasing number of institutions are going to be requiring writing samples for admission to their schools."

Indeed, Clemson, Northwestern and USD are on the growing list of schools supporting the new SAT in addition to requiring a standardized writing test for students admitted to their schools in 2006.

## Future admission changes/requirements

Rumors are **rampant** regarding the future of college admissions: Maybe schools will no longer require an admission essay; maybe The College Board will do away with the SAT II writing exam.

John Carroll, director of admissions at Kalamazoo College in Michigan, sums up the sentiments of the admission personnel interviewed: "Writing is important, and this essay will be another tool for us to use. However, we will have to wait a few years to evaluate the essay and see how it fits into the picture." For now, you should start brushing up on your writing skills! 

## NEXT STEP

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# Kyoto Laureate Symposium

Meet the laureates of the 2003 Kyoto Prizes —  
Japan's highest private awards for lifetime achievement — as they discuss  
their groundbreaking accomplishments and outstanding personal philosophies.

*Wednesday, March 3, 5:30 p.m., Manchester Grand Hyatt Hotel*

**Gala and Symposium Overture: "The Many Faces of the Kyoto Prize"**

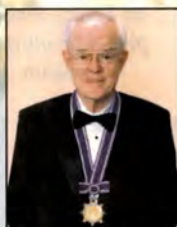
*Gala Co-Chairs: Malin Burnham, The Burnham Companies;  
Marsha Chandler, Acting Chancellor, University of California, San Diego; Tom Fat, Fat City, Inc.*



*Thursday, March 4\**

**Dr. George McClelland Whitesides (U.S.A.),  
2003 Kyoto Prize Laureate in "Advanced Technology"**

*A chemist and professor at Harvard University, Dr. Whitesides will discuss his pioneering achievements in nanotechnology — including his technique for organic molecular self-assembly and its fascinating applications in the field of nanomaterials science.*



*Thursday, March 4\**

**Dr. Eugene Newman Parker (U.S.A.),  
2003 Kyoto Prize Laureate in "Basic Sciences"**

*A physicist and professor emeritus at the University of Chicago, Dr. Parker will discuss the new perspectives he introduced to the field of astrophysics by elucidating the phenomena of the solar wind and cosmical magnetohydrodynamics.*



*Friday, March 5\**

**Maestro Tamao Yoshida (Japan),  
2003 Kyoto Prize Laureate in "Arts and Philosophy"**

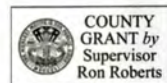
*Maestro Yoshida will explain the concepts, themes and methods he learned during a lifelong journey toward becoming the world's foremost practitioner of Bunraku puppetry, a classical Japanese performance art. Maestro Yoshida has contributed significantly to Bunraku's current status as the world's most refined form of puppet theater.*

*\*Event details and RSVP form available after December 15 at <http://www.kyotoprize.org>*

## Sponsoring Organizations



FourSquare





## Kathy Flanigan, 57;

## teacher with a passion for history

By Jack Williams  
STAFF WRITER

4154

The final class of each school year was Kathy Flanigan's signal to pursue a passion she shared with teaching.

Her summer vacations gave birth to a vocation — exploring the history of San Diego County's landmark sites, diverse communities and, perhaps, its hidden vintage treasures.



Kathy Flanigan

Mining library microfilm and newspapers, she immersed herself in research projects that yielded such results as a 94-year history of Highway 101 from San Diego to Oceanside.

Ms. Flanigan, who received the 2003 Preservationist of the Year award from Save Our Heritage Organisation, died Thursday at Sharp Cabrillo Hospital. She was 57.

The cause of death was cancer, which was diagnosed in September 2002, said her sister, Patt Wheeler.

"San Diego's Historic Gaslamp Quarter: Then and Now," an 85-page paperback on which Ms. Flanigan collaborated with Susan Carrico Bugbee, was reissued this month by Tecolote Publications. The first edition was self-published in 1989.

"We were kindred spirits," said Bugbee, associate registrar at the University of San Diego. "I'll remember Kathy for her enthusiasm, her encouraging ways and her love of life and history."

For more than a decade, Ms. Flanigan specialized in alternative continuing education in the San Diego Unified School District, primarily on the high school level. She taught history at Garfield High School in North Park, then served as a resource teacher at Youth Opportunities Unlimited in Barrio Logan and the Kearny Mesa campus of ALBA Community Day School.

"These are considered at-risk students, and Kathy had

unique insight in understanding the challenges of working with them," said Brenda Campbell, her former supervisor. "She never gave up in figuring out what we needed to do to develop the talents and skills of the students, including adding classes in CPR and involving the American Red Cross."

Ms. Flanigan also went the extra mile, Campbell said, by keeping in touch with former students. "They called her and visited her often," she said. "She made an effort to get them into community colleges and to further their educations."

At school, Ms. Flanigan often shared photos she had taken on her visits to historic sites. "She turned her students on to learning that way," Campbell said.

Sylvia Kathleen Flanigan, a Bay Park resident, was born in Evansville, Ind.

After moving to San Diego with her family at age 12, she attended Wilson Junior High School and graduated from Hoover High in City Heights.

Before beginning her teaching career in 1981 at Horace Mann Junior High, Ms. Flanigan worked at various times as a clerk for the San Diego Unified School District and for Pacific Telephone while attending night school. Majoring in history and minoring in Spanish, she graduated with honors from San Diego State University in 1976. She went on to earn a master's degree in 1985 with an emphasis in architectural history at the University of San Diego, where she maintained a 3.98 grade point average.

For more than 20 years, she was involved in historical surveys and studies, along with historic designations, throughout San Diego County. She published her first research article, "The Baja California Gold Rush of 1889," in 1980 in *The Journal of San Diego History*.

"She loved history," said John Daley, a historic preservation commissioner for the city of Oceanside. "On the Highway 101 project, she uncovered all kinds of stuff. She was the perfect person for the job."



Ms. Flanigan's research of Highway 101 spawned a 250-page report that led to the formation of the Highway 101 Association and was instrumental in the state's historic designation of the route.

As a preservationist, Ms. Flanigan enthusiastically shared her expertise in submitting reports to historic site boards to preserve homes and buildings for their historical value. "I still use her historic board reports as examples for homeowners and others in the field," said John Panter, assistant executive director of the

San Diego Historical Society.

Ms. Flanigan's research on the historic Whaley House in Old Town produced a chronology used by Save Our Heritage Organisation for docent training. A condensed version is available to visitors.

"Kathy sometimes put people off because of her passion, and seeing things in black and white," Panter said, "but everybody respected her for her stance and her impeccable research."

In recent months, while battling spine, lung and brain cancer, Ms. Flanigan represented

clients in their efforts to obtain historical designations for their properties.

"In September 2002, doctors gave her one month to live," Wheeler said. "It was a 13-month battle before she was hospitalized Oct. 12."

Ms. Flanigan served two terms on the board of directors of Save Our Heritage Organisation. She also served at various times on the La Mesa Historic Preservation Commission, the Gaslamp Quarter Foundation board of directors and the Whaley House board of directors.

She was divorced from George Flanigan, a fellow educator who died in January 2002.

Survivors include a son, Sean McClure of Pacifica; mother, Ruth Jewell of San Diego; and sister, Patt Wheeler of Laguna Hills.

A memorial service is scheduled for 4 p.m. tomorrow at Salli Lynn Chapel, Greenwood Memorial Park. Donations are suggested to the San Diego Historical Society, P.O. Box 81825, San Diego, CA 92138.

**Jack Williams:** (619) 542-4587;  
jack.williams@uniontrib.com





**Burrelles**  
INFORMATION SERVICES

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# The Rev. Francis McDonnell; was chaplain in Vietnam War

By Luis Monteagudo Jr.  
STAFF WRITER

4154  
A fallen door helped open another door for the Rev. Francis McDonnell.

It's a story the Rev. McDonnell loved to tell, and it goes like this:

Many years ago, after he was discharged from the Navy, he was passing through San Diego on his way home when he decided to visit St. Joseph's Cathedral downtown.

While kneeling in the pews, he heard a loud noise coming from the sacristy.

Still in his sailor's uniform, he went to help a priest with a door that had fallen. After putting the door back in place, the two got into a conversation and he confided to the priest that he had always wanted to join the clergy. The priest arranged for an interview at a seminary.

And that's how it all began for the man friends called "Mac" and "Father McDonnell."

The Rev. McDonnell died Wednesday of heart failure. He was 80, and had been a chaplain at Scripps Mercy Hospital in Hillcrest until retiring about five years ago.

Born in Delmar, Iowa, the Rev. McDonnell was the oldest of nine children. He was born to William and Mary McDonnell.

In his late teens, he worked as a machinist for an engineering company in Iowa before enlisting in the Navy in 1943.

He served in World War II on the aircraft carrier Enterprise and, later, in the Korean War. After he was discharged, the Rev. McDonnell made the visit to San Diego that would mark a



The Rev.  
Francis  
McDonnell

turning point in his life.

He began seminary school in 1952 and was ordained in 1960 at the Immaculata on the campus of the University of San Diego. After being ordained, the Rev. McDonnell returned to the service in the Navy and the Marines, this time as a chaplain, and served in the Vietnam War.

The Rev. McDonnell was known for the stories he loved to tell and his willingness to help others, said the Rev. Ben Bachmeier, a Scripps Mercy chaplain who worked with him.

"You could mention a doorknob and he had a story about it," Bachmeier said.

The Rev. McDonnell stayed very close to his troops, flying in helicopters and going to the front lines when needed, said a sister, Mary Joan Place.

Once, he arranged to deliver a free refrigerator to the poor mother of a serviceman.

"He did so many things most people don't know about," Place said.

The Rev. McDonnell was also known for his love of tam-o'-shanters, the Scottish caps often adorned with pompons.

Someone once gave him a tam-o'-shanter as a gift and from then on he collected the caps in different colors.

A folded American flag and a tam-o'-shanter will be placed on his casket during funeral services today at the Immaculata.

The Rev. McDonnell is survived by his three sisters, Lois Ganna of Washington, D.C.; Mary Joan Place of Sun City; and Teresa Pranger of Clinton, Iowa. He is also survived by 19 nieces and nephews.

Luis Monteagudo: (619) 542-4589;  
luis.monteagudo@uniontrib.com



# The University of the Third Age

2004 Winter Session January 12-29

## Structure

The University of the Third Age meets four days a week for three weeks, biannually (January and July). Twenty-four individual sessions are offered covering a wide variety of topics, including the arts, current affairs, history, science, medicine and technology. The program features University of San Diego faculty and staff, presenters from other colleges and universities, governmental agencies, the business and arts community, non-profit agencies, and much more!

Three workshops are also available: Tai Chi Chuan, Computer training and Conversational Italian workshops begin at 8:00 am and end by 9:15 am, each day.

Speaker sessions are presented at 9:30 am and 10:45 am

Fee: \$100.00

Per Person

Includes Workshops,

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University of San Diego

The Division of Continuing Education

## History

The University of San Diego recognizes the need to develop academic programs for non-traditional students. The University of the Third Age was developed by Professor Vellas at the University of Toulouse in France and introduced at the University of San Diego in 1978 by General Victor Krulak.

The University of the Third Age is a program fostering life-long learning for those 55 years and older. Over the past 25 years, this biannual, three-week program has added a new dimension to the lives of thousands of people.



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## 4154 Accelerated programs boost upward-bound professionals

As professionals advance in their careers, on-the-job training is often not enough. "Most executives don't invent everything from scratch," said Martha Dennis. "They seek information through affinity groups, reading, networking, listening to panels, and attending conferences."

Dennis knows whereof she speaks. In 1997, she co-founded WaveWare Communications Inc. and she is currently president of the San Diego Telecom Council. She is also a founding member of UCSD's Center for Wireless Communication and Athena, a group devoted to on-going education, networking and professional development.

"Executives, more than anyone, learn by doing, and also through the experiences of others," said Dennis. That's why upward-bound professionals find value in accelerated development programs offered by universities like UCSD, San Diego State University and the University of San Diego.

"These programs are designed and conducted with the learning needs of each professional placed at the forefront of their curriculum," said Debbie Canedo, marketing manager for UCSD Extension's

Executive Programs. Further, these programs emphasize the practical application of concepts and theories; the intent is to provide quick, timely information in areas relevant to the career needs and challenges of established professionals. "What's more," Canedo points out, "this is done without burning a gaping hole in their pocketbooks."

Participant feedback indicates that the most productive programs are those that involve small, peer-to-peer, cohort-based groups, where participants advance through the course together and support one another in the learning process. Maria Johnstone, HR Consultant with Ceregene Inc., says it was this group dynamic that made UCSD Extension's HR Leadership Program a rewarding experience for her. "As I listened to the speakers and feedback from my peers, I learned about new tools that I was able to take back to the workplace and put into practice," said Johnstone. "In addition, it was comforting to know that a lot of things I was already doing were the right things."

Another important feature of these programs is the opportunity to interact with individuals from very diverse

backgrounds, industries and organizations. "Conventional MBA programs tend to be homogenous, while executive programs include people from diverse ranks, backgrounds and experiences," commented Jim Bixby, chief executive officer and chairman of SeQual Technologies. "The management field is so broad; learning by the experiences of others is very efficient and effective. Managerial positions require that you solve problems, and you get problem-solving skills through the discussions held in these courses."

As the paths to executive-level positions become less defined and more horizontal, and the job market becomes increasingly competitive, non-degree programs and professional development courses like the ones offered by UCSD Extension will continue to supplement and enhance professionals' own on-the-job training.

More information on UCSD Extension's Executive Programs can be found online at [www.oaped.ucsd.edu](http://www.oaped.ucsd.edu). For information on the HR Leadership Program, contact Vicki Krantz at [vkrantz@ucsd.edu](mailto:vkrantz@ucsd.edu).

## Athletics



# Snyder hopes to polish USD's 'diamond in rough'

By Hank Wesch  
STAFF WRITER

4154

In what he described as a "homecoming" — to college athletics in general and USD specifically — Ky Snyder was announced as the school's new executive director of athletics yesterday.

Snyder, 41, has been the president of the San Diego International Sports Council for the past seven years. But he was director of athletic development at USD from 1990-96 and in the mid-1980s played football and earned a bachelor's degree in marketing at San Diego State.

**INSIDE** USD beats San Diego State 65-60 in a women's basketball game. D8

"I have, literally and figuratively, grown up on college campuses," Snyder said. "From the time I was 3 years old, my dad took me to University of Michigan football games, basketball games and wrestling matches."

He experienced more of the same when his father took a job at Arizona State, and it continued during his college days.

"I was really exposed to so much in

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SEE USD, D5



USD's new Executive Athletic Director Ky Snyder is greeted by Athletic Director Jo-Ann Nester. Nancee E. Lewis / Union-Tribune

► **USD** G

CONTINUED FROM PAGE D1

## Snyder's strong local ties a big asset to Toreros

college athletics and to what college athletics means," Snyder said. "I love college athletics and what it represents."

"In a sense, this is a homecoming for me."

Snyder was the choice from 18 original candidates, narrowed to four in late October, for a position created in late September as the one with ultimate responsibility for the department. The appointment of Jo-Ann Nester to fill the athletic director's opening created by the July retirement of Tom Iannacone was announced on Sept. 24.

"We had a pool of highly qualified candidates and Mr. Snyder emerged with the attributes of talent, the passion and the leadership that I'm convinced will promote our athletic program to a place that is, in some people's point of view, very ambitious," said USD President Mary E. Lyons, who made the final decision.

"We have talented athletes. We have extraordinarily talented and committed coaches and staff. What we have now is a leadership team that a modern

university needs to have in order to stay not only clean and in compliance with NCAA (rules) but extremely competitive..."

"He has a proven track record of fund raising and working in the community. And I, for one, think that we have a very talented, ambitious, competitive athlete who is also our executive director and will bring us to the next level."

Snyder's official start date is Feb. 9, but he will be involved with USD matters during the transition. The most pressing matter on the departmental agenda is hiring a new football coach.

Robert Pastoor, vice president-student affairs, said that hiring may be announced next week.

Snyder sees USD's potential as virtually limitless.

"I look at the athletic program and I see a diamond in the rough," Snyder said. "Very successful right now. Six teams competed in NCAA tournaments last year. But everyone on this campus that I talked to, especially the coaches, believe that we can do more than we are doing."

"We can be more successful than what we currently are. I'm taking this job because I believe what they believe."

In the next few months, Snyder said he will work with administrators, coaches, alumni and benefactors as well as cam-

pus and community leaders to determine the department's needs and priorities. The next step will be to go about addressing the needs.

Nester's duties include the day-to-day running of the department. Snyder has overall responsibility for all sports but with special emphasis on men's and women's basketball.

"They are our premier programs," Snyder said. "They're going to lead us where we need to go."

Men's coach Brad Holland and women's coach Kathy Marpe both had positive reactions to Snyder's hiring.

"Ky is obviously well-connected in the San Diego community and we all welcome him," Holland said. "It's a great opportunity to have him come in and help enhance our budget and in turn our ability to be competitive in our conference and beyond."

Said Marpe: "He grew up with Title IX and he understands the importance of women's sports. But just his vision as a young person helps all the sports."

Snyder is a Poway resident. He and his wife, Sue, have three children, son Riley, 10, and daughters Sydney, 7, and Cammy, 4. Sue (Hegerle) Snyder is a former volleyball standout at SDSU and women's volleyball coach at USD.





**Burrelle's**  
INFORMATION SERVICES

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Jim Harbaugh says football as played at USD is the game in its purest form.  
*John Gibbins / Union-Tribune*

## Harbaugh glad to leave NFL stage for USD

By Hank Wesch  
STAFF WRITER

In two weeks Jim Harbaugh will leave the Sunday glamour and excitement and the first-class peripheral trappings of the National Football League.

He'll leave behind 17 years of living the NFL life — 15 at the premier quarterback position with five different teams, the last two as an assistant coach of quarterbacks for the Oakland Raiders.

He'll do it to take over an office on the small and quiet campus at USD and become the head coach for the Toreros' Division I-AA, nonscholarship football program.

And Harbaugh will do so quite happily, judging by his statements at yesterday's media introduction at the Jenny Craig Pavilion. He said the USD position was "absolutely" a dream job for him.

"It (college head coach) is some-

SEE Harbaugh, C11



Jim Harbaugh inherits a team that shared the Pioneer League Southern Division championship. *John Gibbins / Union-Tribune*

### ► HARBAUGH

CONTINUED FROM PAGE C1

## Ex-Chargers QB hopes to have father join him

thing that I've wanted to do since I was 5 or 6 years old," said Harbaugh, 39. "The kind of student-athletes we recruit here, their commitment to academics and their passion for (the game) is football at its purest to me.

"We can recruit the finest young men that America has to offer. I truly believe that."

As for leaving the NFL behind after the Raiders play Green Bay tomorrow night and the Chargers a week from today?

"It's a level of the game that obviously was great for me and my family. But the playing on Sundays, TV games, getting paid and stadiums full of people and everything fancy is the backdrop.

"The best part of the NFL, the part I remember, is playing for Coach (Mike) Ditka, for Ted Marchibroda and Mike Riley. The relationships with the coaches and just fighting for the guy to the left of you and fighting for the guy to the right.

"That's the same thing I'll be doing as head coach at USD."

The son of a football coach, Harbaugh grew up in Ann Arbor, Mich., and later Palo Alto as his father served assistantships at Michigan and Stanford. He played four years for Bo Schembechler at Michigan, leading the Wolverines to Fiesta, Holiday and Rose Bowl appearances and, as a senior, to a No. 2 national ranking.

A first-round selection of the Chicago Bears in the 1987 draft, Harbaugh played seven years for Chicago, four for the Indianapolis Colts, one for the Baltimore Ravens, two (1999-2000) with the Chargers

and one with the Carolina Panthers.

He was the AFC Comeback Player of the Year and Player of the Year in 1995 after leading the Colts to the AFC Championship Game.

For the last eight years of Harbaugh's playing career, his springtimes were spent as an NCAA-certified, unpaid assistant for his father, Jack, at Western Kentucky.

Jim had a hand in recruiting 17 players who were on Western Kentucky's 2002 NCAA Division I-AA national championship team. Harbaugh said there is a chance he will get his father, who retired earlier this year after 41 years in coaching, to join the USD program in some capacity.

Tim Drevno and Jason DesJarlais will be retained as offensive and defensive coordinators. Harbaugh is an advocate of the West Coast offensive style of football but favors a balanced attack between rushing and passing.

Harbaugh inherits a team that went 8-2 this year and earned a share of the Pioneer League's Southern Division championship despite the uproar of the October firing of coach Kevin McGarry for undisclosed reasons.

Toreros offensive tackle Keith Zapala of Sealy, Texas, attended yesterday's briefing and expressed approval of the choice of Harbaugh.

"I think it helps a lot in the healing process," Zapala said. "I was part of the interview process. They brought in four coaches, and what I got from all of them is that our athletic administration does care and wants to move this program forward."



# USA TODAY

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**Burrelle's**  
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## Tuberville signs 1-year extension, would stay at Auburn through '08

From wire reports

4154

### Notes

Auburn football coach Tommy Tuberville agreed Thursday to a one-year contract extension through the 2008 season, a few weeks after top school officials were trying to replace him.

"It's going to help recruiting and settle a few things down we were having problems with after going through this process," Tuberville said Thursday at a news conference for the Music City Bowl in Nashville. The Tigers (7-5) will face Wisconsin (7-5) on Dec. 31.

School President William Walker, athletics director David Housel and two trustees met Nov. 20 with Louisville coach Bobby Petrino, Auburn's offensive coordinator in 2002, but they backed off the search after the trip came to light.

Tuberville earns \$1.5 million a year. His contract includes a \$3 million buyout if he decides to leave or the school fires him. He is 37-24 in his fifth year at Auburn.

**Happy holidays:** In his first interview since suffering a spinal cord injury making a tackle in a season-ending loss Nov. 28 against Miami (Ohio), Central Florida line-backer Antoine Poe said he feels fortunate just to be walking.

"Something like this helps you realize all of the things you take for granted," Poe said Thursday. "All the time I was in the hospital, I just thought about being able to just move and feel things.

"I've certainly got a lot to be thankful for during the holidays, and I know I'm going to enjoy them a lot more."

Poe was discharged from the hospital last weekend and released from a rehabilitation facility Tuesday. He will wear a neck brace for 10 weeks while he continues therapy as an outpatient.

Poe, third on the team in tackles, said doctors have told him to expect a full recovery. He said he expects to be on the field in August, preparing for his senior season.

He said he's also looking forward to playing for new coach George O'Leary. "Just try and keep me away," Poe said.

**Behavioral controls:** Two West Virginia University students have been placed on "deferred suspension" for rowdy behavior after the football win Nov. 15 against Pittsburgh. The deferment means they could be expelled if they get

into more trouble.

Assistant student life dean Tom Sloane said he has talked to two other students but will wait until their cases in municipal court are resolved before he takes action.

The four were among 12 students cited for illegal burning and other acts after the rivalry known as the "Backyard Brawl."

The latest set of hearings is part of the school's zero-tolerance policy on excessive postgame partying.

The policy was first tested Oct. 2, when two students were expelled for lighting street bonfires in Morgantown, W.Va., after the Mountaineers' 22-20 loss at Miami (Fla.). Seven more were expelled after the Oct. 22 upset of Virginia Tech in Morgantown.

**Harbaugh in mix:** Former NFL quarterback Jim Harbaugh is one of four finalists to become head coach at the University of San Diego, which has a Division I-AA non-scholarship program.

Harbaugh, 39, is in his second season as quarterbacks coach for the Oakland Raiders.

His father, Jack, retired after leading Western Kentucky for 14 seasons, capped by the I-AA national title in 2002.



# List for USD football coach trimmed to final four

## Ex-Bolt Harbaugh among candidates

UNION-TRIBUNE

4154

Four finalists have been selected for the head football coaching position at the University of San Diego.

USD Director of Athletics Jo-Ann Nester said the four candidates will be brought in for interviews next week, from Monday through Thursday, with a decision expected before Christmas.

The four finalists:

- Tim Drevno, USD offensive coordinator;

- Jim Harbaugh, Oakland Raiders quarterbacks coach;

- Greg Quick, head coach for Concord College in Athens, W. Va.;

- Raymond Tellier, former head coach at Columbia.

"I believe the search committee has done a fine job in narrowing a very large and deep candidate pool," said Nester. "We're very happy with the experience each of these candidates could bring to our football program. We look to name the successful candidate before the holidays."

The new coach will succeed Kevin McGarry, who was fired in October for unspecified reasons.

Drevno just completed his first year as USD's offensive coordinator and offensive line coach. Before coming to USD, Drevno was offensive line coach at the University of Idaho. He also has coached at San Jose State, UNLV, Montana State and Cal State Fullerton, where he graduated with a degree in criminal justice.

Harbaugh, a former quarterback for the Chargers, is in his second year as an assistant coach with the Raiders. He also served as an assistant coach

and recruiter at Western Kentucky for his father, Jack. He played in the NFL from 1987-2001 for six teams, including the Chargers in 1999 and 2000. He played collegiately at Michigan.

Quick has completed his first year as head coach at Concord. He was USD's offensive coordinator from 1999-2002. He also coached at Division III St. Norbert College, in DePere, Wis., and at the University of Chicago after stints at Claremont-Mudd College, Edinboro University, New Mexico State, Heidelberg College, St. Edward High School and Emporia State.

He played at Baldwin-Wallace College in Brea, Ohio.

Tellier, assistant athletic director at Columbia, was Columbia's head coach for 14 seasons. In 1996, when Columbia was 8-2, he was voted the 1996 regional and national I-AA Coach of the Year by the American Football Coaches Association.

Previously, he was head coach at the University of Rochester and an assistant at Brown, Boston University, Wabash College, Dartmouth College and the University of Connecticut, where he graduated in 1974.



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# Threes and out for struggling Toreros

By Chris Lang **4154**  
 SPECIAL TO THE UNION-TRIBUNE

FLAGSTAFF, Ariz. — **USD** guard Brad Lechtenberg put together the finest shooting performance of his career last night at Northern Arizona's Walk-up Skydome.

No. Arizona  
**91**

Toreros  
**81**

But he had nothing on NAU guard Kelly Golob. Golob hit 10 three-pointers, including seven in the first 8 minutes, 38 seconds of the second half, for a career-high 30 points to lead the Lumberjacks to a 91-81 victory. It was USD's seventh loss this season in as many games away from home.

"It was very demoralizing," Lechtenberg said of Golob's run to open the second half.

Lechtenberg scored a career-high 22 points and hit 6-of-12 three-pointers to keep the Toreros in the game, but it hardly matched Golob's show-

ing, which left USD coach Brad Holland searching for superlatives after the game.

"I mean, he was nothing short of spectacular," Holland said. "Obviously, their whole team shot the 3-ball extremely well. But that was as fine a display of shooting as I've seen in a long time. That was very impressive."

Toreros forward Nick Lewis, who was playing in front of family and friends from Phoenix, scored a career-high 20 points and grabbed 10 rebounds, while Brandon Gay had 18 points and seven rebounds.

But it wasn't nearly enough to beat a hot-shooting Lumberjacks team. NAU (5-5) hit 17-of-34 from long range, including Golob's 10-for-13 effort.

"In our defensive transition, we didn't locate their players, especially their shooters — mainly Golob," Lechtenberg said. "We kept giving him free looks without making him change it up and put it on the floor. We needed to make him

NORTHERN ARIZONA 91, USD 81															
USD	Min	FG-A	FT-A	R	A	F	Pts	NAU	Min	FG-A	FT-A	R	A	F	Pts
Vounang	24	4-10	1-2	3	0	3	9	Garnett	28	4-5	2-5	2	4	0	10
Lewis	31	6-12	6-6	10	1	1	20	Hayes	18	3-4	0-0	4	0	4	6
Lechtenberg	33	8-16	0-0	4	0	2	22	Bond	16	3-4	5-8	4	2	3	11
Hubbard	24	2-3	0-2	4	3	2	4	Ferguson	23	2-7	0-0	2	4	1	6
McGrain	26	0-3	1-3	5	6	2	1	Golob	33	10-15	0-0	5	2	2	30
Melton	18	1-4	0-0	3	2	0	3	Yazzie	18	3-10	0-1	3	4	3	7
Gay	21	6-17	6-8	7	0	4	18	Burger	8	1-3	0-0	0	0	2	3
Hannula	17	1-2	0-0	4	0	2	2	Feuerbach	26	4-6	3-4	4	4	1	14
Bonifer	6	0-0	2-2	0	0	0	2	Boykin	24	1-4	2-2	5	1	1	4
Totals	200	28-67	16-23	42	12	16	81	Meynen	6	0-0	0-0	3	0	3	0
Percentages: FG .418, FT .696, 3-Point Goals: 9-25, .360 (Lechtenberg 6-12, Lewis 2-5, Melton 1-3, Gay 0-5). Team Rebounds: 2. Blocked Shots: 0. Turnovers: 10 (Hubbard 5). Steals: 2 (Vounang, Melton). Technical Fouls: None.								Totals							
USD (2-8)								NAU (5-5)							
39								42 - 81							
43								48 - 91							

A-1,012. Officials—Tom Spitznagel, Ken McDougall, David White.	
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do something different than just knocking down shots on us."

Golob fell one three-pointer shy of the school record set by Cory Schwab at Cal Poly in 2000.

"They played more zone in the second half," Golob said. "Watching film, we knew we could get a lot of shots in the corners when they played their zone. I think we attacked that well."

With NAU leading 40-39 with four seconds left in the first

half, Lumberjacks guard Kyle Feuerbach hit a buzzer-beating three-pointer to give NAU a four-point lead. Golob drilled a three-pointer 18 seconds into the second half to push the lead to seven, and USD (2-8) got no closer than six the rest of the way.

The Lumberjacks shot a blistering 53.4 percent, including a 55.2 percent showing in the second half.

"We have very little room for error," Holland said. "We outrebounded them and only had 10

turnovers. But our defense was unacceptable. You have to put an entire game together on the road."

NAU ganged up on center Brice Vougang, the Toreros' leading scorer, holding him to nine points, more than seven below his season average. With their main post option struggling, the Toreros were forced into a track meet with the Lumberjacks, which was exactly what NAU wanted.

Accustomed to playing at Flagstaff's 7,000-foot elevation, the Lumberjacks tried to push the tempo, and the Toreros tired. That was evident when two Lechtenberg three-point attempts late in the game, after USD cut the NAU lead to single digits, fell short.

"They tried to play an extended 1-3-1 zone, and we had to make those shots," Feuerbach said. "I think Kelly hitting those shots was huge because they couldn't play that zone anymore and got fatigued because of the altitude."



SAN DIEGO UNION-TRIBUNE

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# Holland's 'T' will stand as called

By Hank Wesch  
STAFF WRITER

USD basketball coach Brad Holland has received some sympathy for his "T."

But indications are that will constitute closure regarding the controversial technical foul official Dave Libbey assessed Holland in the final 31 seconds of the Toreros' 66-63 loss to San Diego State on Dec. 3.

Holland said yesterday he received somewhat sympathetic responses in conversations with West Coast Conference Commissioner Michael Gilleran and league director of officials Jack Ditty after they reviewed tapes and other material Holland sent to the league office in San Bruno the day after the game.

"They said the technical was an inappropriate call, considering the time remaining and the score," Holland said. "But they also said that Dave Libbey technically has the right to call a technical any time if he feels I overstep my bounds."

Holland said the WCC officials did not mention any sanctions regarding him over the incident.

Holland was assessed the technical with 31.2 seconds remaining and SDSU leading 64-63. Two successful free throws set the final score.

Holland contended that he did not curse or do anything inappropriate and was complaining about a perceived SDSU foul against a USD player that wasn't called on the Toreros' previous possession.



USD coach Brad Holland received sympathy but no reprieve for technical called on him.

No specific reason has been given for the technical, but the Toreros coaches understood it was because Holland was out of the "coaching box" to which he is supposed to restrict himself.

Libbey, who has twice previously declined comment, did so again when contacted yesterday.

Commissioner Gilleran would neither confirm nor deny the content of his conversation with Holland or comment directly about the incident.

Gilleran said that standard WCC procedure is for Ditty to review all materials in such cases and the commissioner as well on a select few. Feedback is provided to both parties, the coach and official.





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# Another Toreros road disaster

## Routed by Gauchos, USD now 0-6 away from home

**By Hank Wesch**  
STAFF WRITER

GOLETA — There's a pattern showing in the USD men's basketball season. One that, if it continues, is going to turn it into a disaster.

The pattern is, be competitive at home — where the Toreros are 2-1 with the loss a three-pointer to San Diego State — but an embarrassment on the road.

Maintaining previous form, coach Brad Holland's Toreros (2-7) fell 22 points behind by halftime here last night and were routed 90-70 by UC Santa Barbara before 900 at the UCSB Thunderdome.

"Obviously, we haven't learned to compete on the road to this point," Holland said. "Until we learn we have to outplay, outthink and have at least the same level of energy as the home team, we won't win a game on the road this year."

Last night's blowout ranks fourth-worst on the Toreros' road infamy this season. Behind a 43-pointer at Utah one week earlier, a 35-pointer at Creighton on Nov. 22 and a

23-pointer against Oakland (Mich.) to open the season Nov. 15 in a tournament in Cincinnati.

"Tonight was very similar to those others," Holland said. "We took ourselves out of it in the first half with unforced errors for turnovers, missed defensive assignments and lack of intensity."

"We haven't given ourselves a chance to win on the road yet."

Holland made one starting lineup change, inserting junior transfer Brandon Gay at power forward for sophomore Nick Lewis. It was Gay's first career start at USD in his third game back from a foot injury.

"Brandon had won a starting spot before he got injured," Holland pointed out. "And I liked the way Nick came off the bench last year and sparked us. Perhaps that backfired."

"Nick had a good attitude about it, but we just didn't play very well and I don't think that (lineup change) had anything to do with it."

The first half ended as most on the road have for USD. With the Toreros trailing by a huge margin, in this instance, 52-30.

USD hung close for the first 8½ minutes and trailed only 18-16 at that point. But the

seeds of disaster had been sown and they quickly sprouted.

Gay, mainly responsible for keeping USD close early on, picked up two fouls in the first 2½ minutes. And when he got a third with 10:12 remaining trying to block a shot after a USD turnover, the Toreros were forced to abandon their man-to-man defense and switch to a zone.

It worked for the first three UCSB possessions, creating two turnovers and a missed perimeter shot. But the Gauchos, led by Joe See, Josh Davis and Cecil Brown, then proceeded to carve up the zone.

USD trailed by as many as 28 and was never closer than 16 in the second half.

"Our strengths matched up well against them," UCSB coach Bob Williams said. "Our depth and pressure bothered them and we were better able to keep up the pace."

Brown (16) led four players in double figures for UCSB (4-2), which completed a 3-0 home stand. Gay had 18, Brett Melton 16 and Brice Vounang 15 for USD.

Vounang left the game in the final 10 minutes after biting through his lower lip. The injury required five stitches.



SAN DIEGO UNION-TRIBUNE

SAN DIEGO, CA  
TUESDAY 380,723  
DEC 9 2003

## Toreros' transfer a bright spot after return from injury

4154  
By Hank Wesch, STAFF WRITER

The only positives USD men's basketball coach Brad Holland could find in last weekend's trip to Utah to absorb an 82-39 trouncing from the Utes were:

- The sooner-than-expected return from injury and USD debut of junior college transfer Brandon Gay.

- The perseverance of his overmatched Toreros through the second half of a game that was well out of hand.

"Other than that, there's nothing to talk about," Holland said yesterday while preparing for tonight's 7:05 game against Southwest Missouri State at the Jenny Craig Pavilion.

Gay, a 6-8 forward from Missouri City, Texas, missed USD's first six games with a stress fracture of his left foot incurred in a preseason practice in late October.

Initially projected to return no sooner than tonight, Gay was cleared to play by team physician Dr. Paul Murphy late last week. Gay saw 16 minutes of action at Utah, scoring eight points and securing three rebounds.

"We played him in a few short, 3-4 minute spurts and I thought he did well for his first Division I game," Holland said.

"It was great to have him out there."

Gay's return coincides with the loss, for an undetermined time, of 6-9 senior forward/center Abdou Sane. Sane aggravated a shin problem in USD's loss to San Diego State last week. He will not play tonight and will be reevaluated on Thursday.

### Men: SW Missouri St. at USD

**Site/Time:** Jenny Craig Pavilion / 7:05 p.m.

**Records:** SMS 5-2; USD 1-6

**TV/Radio:** Channel 4 San Diego (live) / ESPN-AM 800, 10 p.m. (tape)

**Webcast:** [www.usdtoreros.com](http://www.usdtoreros.com) (live)

**Series:** SMS leads 1-0

**Outlook:** USD is fresh from an 82-39 thrashing at Utah, the Toreros' fifth road loss without a victory this season. USD's average margin of defeat outside the JCP is 24.4 points. At home, the Toreros are 1-1 with the loss by three points. SMS comes in on a two-game winning streak.

**Matchup to watch:** SMS' depth vs. USD's lack of same.

- HANK WESCH





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# 14-point lead isn't enough for Toreros

By Nicole Vargas  
STAFF WRITER

Leading by 14 points in the second half, the USD women's basketball team couldn't hold on and lost 65-57 to Long Beach State yesterday in front of 379 at Jenny Craig Pavilion.

**Long Beach St.**  
**65**

**Toreros (w)**  
**57**

Toreros seniors Marta Menuez and Melissa Padgett did all they could to end USD's four-game losing streak.

Despite being guarded by 6-foot-6 junior Petra Gläser most of the game, the 6-1 Menuez scored 18 points. Padgett collected 16 points with 10 rebounds for her second career double-double.

"I can't ask anything more out of Marta and Mel," said USD head coach Kathy Marpe, whose team fell to 1-5.

But like the previous three games, this one was lost in the second half despite the efforts of the USD veterans.

"The other team was playing harder (in the second half), and we weren't," Marpe said.

USD outplayed the 49ers in the first 20 minutes, and not only behind the scoring of the seniors. The Toreros also out-rebounded Long Beach State while turning the ball over just twice to the 49ers' four.

But in the second half, Long Beach State shot 66 percent from the field behind sopho-

more guard Crystal McCutcheon (21 points) and Gläser (15) and closed with an 18-6 run.

By comparison, USD made only 10 of its 30 second-half shots, including 0-for-11 from behind the three-point line.

"We all just have to take better care of the ball," said Padgett, who admitted she has been frustrated by how her senior season has started. "Once we do that, we'll be fine."

## SDSU women fall

The Aztecs' three-game winning streak came to an end with a 71-52 loss to Cal State Northridge at The Matadome yesterday.

SDSU sophomore **Ashlee Dunlap** recorded her second straight double-double and her third of the season, finishing with a team-best 19 points and a season-high 15 rebounds.

Freshman **Michelle Elliott** added 11 points for her fifth straight game with double-figure scoring for the Aztecs (3-2).

The two, though, got little support from their teammates, and the Aztecs finished with 26 turnovers.

By comparison, the Matadors got scoring from 11 of their 12 players, led by **La-Joyce King's** 21 points, and committed nine fewer turnovers in Northridge's first win of the season.

After going 2-1 on its latest road trip, SDSU returns home this week to face USD on Wednesday.



SAN DIEGO, CA  
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# Utah size too much as USD is routed

By David Cordero

SPECIAL TO THE UNION-TRIBUNE

SALT LAKE CITY — Members of the media here smile when visitors ask if Utah big men Andrew Bogut and Tim **Utah 82** Frost are actually their listed heights of 6-foot-10 and 6-9. They know Rick Majerus has a tendency to shave an inch or two from his players' vertical measurements, usually in an attempt to surprise opponents.

Didn't fool USD. The Toreros just didn't know how to deal with the Utes' overwhelming size.

USD got manhandled last night at the Huntsman Center, losing to Utah 82-39.

"They may list them as 6-9, but they're 7-footers," said Toreros junior Brandon Gay, who saw his first action of the season.

USD would drive the lane and run smack into a brick wall. The dribbler would either a) double- or triple-pump before putting up an awkward shot or b) try to pass at the last minute and turn it over.

The other option was to launch a three-pointer, which the Utes have never been too fond of allowing either.

"Nothing comes easy against a Rick Majerus-coached defense," said USD coach Brad Holland, whose team shot just 30 percent from the field. "We were overmatched. We didn't have any answer for their physicality."

As strong as the Utes' defense was — and it has given up fewer than 50 points four times now — it was their prolific offense that put the contest away early.

Nick Jacobson scored all his team-leading 21 points in the first half, sinking six three-pointers to put Utah up 44-20 at the break.

For USD (1-6) it was a case of pick your poison. Either let Bogut or Frost work the shorter Toreros down low in man-to-man coverage, or collapse a player or two inside and hope the Utes (5-2) brick most of their three-point tries.

Holland gambled with the zone. It didn't pay off.

"They have such great size that we thought we had to play a lot of zone and not try to wrestle with their bigs down low," Holland said.

USD's last lead came at 6-5 just three minutes into the game. The Utes promptly went on a 12-0 run. After a Josh Olsen (11 points) trey put the Utes up 42-19 with 2:21 to go in the first half, USD could not close the deficit to less than 20 points.

Utah used its size advantage to double USD in rebounding as well as scoring.

One positive for USD was the debut of Gay, a 6-8 junior college transfer. Gay, who did not play in the team's first six games because of a stress fracture in his foot, saw 16 minutes of action against Utah. He was 2-of-8 from the field and 4-of-4 from the line for eight points, second to Nick Lewis' 12.

## SUMMARY

### Utah 82, USD 39

USD	Min	FG-A	FT-A	R	A	F	Pts
Vounang	31	2-8	2-6	3	0	3	6
McGrain	32	0-0	2-6	3	3	2	2
Lewis	19	4-8	2-2	0	0	5	12
Melton	26	1-4	0-0	2	0	3	3
Hubbard	33	2-6	0-0	1	3	3	4
Lechtenberg	23	1-4	0-0	1	1	1	2
Gay	16	2-8	4-4	3	0	1	8
Traan	3	0-0	1-2	0	0	1	1
Fogel	3	0-1	0-0	0	0	0	0
Hannula	3	0-1	1-2	1	0	5	1
Bonifer	11	0-0	0-1	2	0	4	0
<b>Totals</b>	<b>200</b>	<b>12-40</b>	<b>12-23</b>	<b>19</b>	<b>7</b>	<b>23</b>	<b>39</b>

Percentages: FG .300, FT .522. 3-Point Goals: 3-12, .250 (Lewis 2-3, Melton 1-4, Hubbard 0-1, Lechtenberg 0-2, Gay 0-2). Team Rebounds: 3. Blocked Shots: 1 (Hubbard). Turnovers: 17 (Hubbard 4). Steals: 8 (McGrain 2). Technical Fouls: None.

Utah	Min	FG-A	FT-A	R	A	F	Pts
Bogut	23	3-3	0-0	8	2	2	6
Chaney	14	3-7	0-0	3	2	3	6
Frost	25	5-6	5-11	10	0	4	15
Drisdorn	26	0-3	4-4	4	4	0	4
Jacobson	26	7-13	1-1	0	2	2	21
Olsen	28	4-7	0-0	1	3	1	11
Hawkins	25	3-3	4-4	3	1	3	11
Markson	11	1-4	1-2	2	1	0	3
Jackson	11	2-3	1-1	3	0	4	5
Mesdaghi	2	0-0	0-0	0	1	0	0
Langvad	9	0-0	0-0	3	0	0	0
<b>Totals</b>	<b>200</b>	<b>28-49</b>	<b>16-23</b>	<b>38</b>	<b>17</b>	<b>19</b>	<b>82</b>

Percentages: FG .571, FT .696. 3-Point Goals: 10-23, .435 (Jacobson 6-11, Olsen 3-4, Hawkins 1-1, Frost 0-1, Markson 0-1, Drisdorn 0-2, Chaney 0-3). Team Rebounds: 1. Blocks: 5 (Frost 2). Turnovers: 14 (Drisdorn 4). Steals: 8 (Hawkins 3). Technical Fouls: None.

USD (1-6)	20	19	39
Utah (5-2)	44	38	82

A-10,192. Officials—Verne Harris, Mike Giarratano, Roosevelt Brown.



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# Holland goes to WCC about late 'T'

**By Hank Wesch**  
STAFF WRITER

4154  
The procedures for USD's protest of the final 30-plus seconds of Wednesday's basketball game against San Diego State, and specifically the controversial technical foul on Toreros coach Brad Holland, were initiated yesterday.

Now it's in the hands of the West Coast Conference to determine what, if anything, will be done regarding the technical Holland was assessed by referee Dave Libbey with 31.2 seconds to play.

SDSU led 64-63 and had possession when Holland, vocalizing about the lack of a foul call on SDSU in a battle under the boards, was given a technical for reasons he considered unclear and unjust. The two free throws awarded and converted secured SDSU's 66-63 victory.

"Trust me, I will contact our

league," a furious Holland said immediately after the game.

True to his word, Holland sent two tapes of the game, an in-house one shot by USD and one off the Channel 4 San Diego telecast, to the WCC offices in San Bruno. The tapes and a report filed by Sandy Dillon, a WCC observer of officials, will be reviewed by WCC Director of Officials Jack Ditty.

When asked Wednesday night what the conference could or might do, Holland said: "That's a great question. It's not going to change the game. It's not going to change the outcome. That's the frustrating part."

Libbey, an El Cajon resident, has been a basketball referee for 32 years and a Division I official for the past 23. He calls games in the WCC, Pac-10, Big West, Western Athletic, Big Sky, Big 12 and Conference USA.



USD's Brad Holland is a picture of frustration. *Union-Tribune*

He has officiated 43 NCAA Tournament games, had seven Final Four assignments and been part of the crew for the national championship games in 1992 and '96.

In short, Libbey is one of the most experienced and respected officials in the country. Holland said he has had no prior problems with Libbey in his 11

years of coaching.

Contacted by phone, Libbey said he is prevented from commenting by WCC policy. If any response is forthcoming, Libbey said, it would be from the WCC.

Ditty was out of town yesterday on assignment and was not expected to be able to review the matter for a few days.

Holland was adamant that he did not use profanity in addressing Libbey. The Toreros staff was under the impression that the reason for the technical was Holland was out of the "coaching box," the area roughly corresponding to in front of the bench, while stating his case.

If so, that would fall under rule 10-10, which covers "bench decorum."

"Never was there a warning placed on our bench," USD assistant coach Brian Fish said. "That's a worrisome thing."

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Tim Sullivan

## Unexplained 'T' puts USD coach in a tizzy



You start with the premise that it's a 40-minute game and the final minute should be called just as closely as the first.

You trust that the officials know their role and their responsibilities, that they are men of unimpeachable integrity and sound judgment.

Then you watch a game and wonder — what in the wide world of sports was that?

"You tell me if it was right," Brad Holland demanded last night at Jenny Craig Pavilion. "You make your own determination on that technical . . . at that point in the game. You tell me. You tell me what was up with that. I want to hear your opinion."

Well, here goes: Huh?

With 31.2 seconds remaining in San Diego's intercollegiate basketball brawl, referee David Libbey seized control of a one-point game with a weird and so far unexplained

SEE Sullivan, D5

### Heath hero

Brandon Heath scored the Aztecs' last nine points to save the game for them. Here's how he did it:

**4:50** | Makes jumper, 59-57 SDSU

**2:43** | Makes jumper, 61-60 SDSU

**1:42** | Makes three-pointer, 64-63 SDSU

**:29** | Makes two free throws, 66-63 SDSU

### Half, half not

The Aztecs dominated the first half, the Toreros the second. The shooting numbers:

#### FIRST HALF

	FGs	3-PT	FT	PTS
<b>SDSU</b>	11-25	7-14	11-12	<b>40</b>
<b>USD</b>	12-27	2-7	1-6	<b>27</b>

#### SECOND HALF

	FGs	3-PT	FT	PTS
<b>SDSU</b>	11-29	1-4	3-4	<b>26</b>
<b>USD</b>	14-28	5-8	3-5	<b>36</b>



## ► SULLIVAN

CONTINUED FROM PAGE D1

### Technical foul lets air out of USD comeback

whistle.

He charged USD's Holland with some sort of unspecified infraction that afforded San Diego State two critical free throws and facilitated the Aztecs' 66-63 victory over the Toreros.

"I wasn't expecting that at all," said SDSU's Brandon Heath, who made the free throws. "That kind of decided the game."

Had Holland said too much? Not if he recounted his remarks correctly:

"That's a foul, Dave," Holland remembered saying, referring to center Brice Vounang getting banged on the blocks. No profanity. No obscenity. And not even much in the way of sarcasm. If this was all that triggered the technical, Libbey's fuse is as short as a pygmy's fingernail.

Had Holland, in the heat of the moment, violated the boundaries of the sideline coaching box? Beats me. Dave Libbey declined postgame interviews.

"You have to ask him, and I know he won't talk to you," Holland said. "But you have to ask him where that's coming from. I didn't swear at him. I didn't do anything. All I said was, 'Dave, that was a foul,' and it was."

So in the aftermath of a frenetic comeback and a dramatic finish, 5,100 spectators and two competing teams were left to shrug their shoulders at the vagaries of fate and the vagueness of officials. In some college basketball outposts, this might have been sufficient to incite a riot.

"(I've) never been this frustrated," Holland said. "I'll be

honest with you. You coach long enough, you lose some close games, you win some close games. (But) This one's hard to take right now, that's for sure."

This was the kind of call that a coach comes to expect on the road. Officials are human beings, after all, and not all of them are immune to the cumulative effect of a thousand catcalls. But twice in the last minute of last night's game, in his own arena, Holland was left to wonder if he was being singled out for punishment.

After Heath made the technical free throws that stretched SDSU's lead to three points, the Aztecs were awarded a critical timeout while the ball was still loose on the floor. This time, the official on the scene was Thomas Wood.

It may be awhile before this crew works this arena again.

"It's kind of surprising," said Aztecs guard Wesley Stokes. "But we take every call we can get on the road."

Officially, it was a sellout. Standing room only. But if a ticket scalper had to depend on this rivalry to pay his mortgage, he'd still be living in Mom's basement.

It is not true that college basketball ceases to exist once you cross the Rockies, but the alleged rivalry resumed last night at the Jenny Craig Pavilion suggests San Diego is still a hotbed of hoops apathy.

When two local colleges collide on Tobacco Road, the passion runs deeper than the nicotine cravings. Californians have more choices, of course,

and less interest in indoor sports that do not involve Laker Girls. The official state sport, remember, is sun-worshipping, not Bill Walton's son-worshipping. Aztecs coach Steve Fisher has to be the only one of Arnold Schwarzenegger's subjects who could return from Hawaii paler than when he departed.

And yet, when Brad Lechtenberg connected on a three-point shot from the corner and sliced USD's deficit into single digits, it was possible to lose track of the locale. When Nick Lewis' layup made it a seven-point game with more than 12 minutes remaining, basketball was bedlam at USD.

During a stoppage in play, USD guard Mike McGrain turned toward the student section and lifted his arm to raise the volume. When the Toreros gathered on the bench for a timeout, Holland greeted them with the sort of smile you normally see only on beauty pageant contestants.

That smile was short-lived. Later, Holland was seething.

"This is not the first time that's happened," Aztecs coach Steve Fisher said. "It's going to happen again. When it happens to you, it's devastating."



COLLEGE BASKETBALL  
SDSU 66, USD 63

# Escaping a miracle

## Aztecs blow all of 20-point lead but then break Toreros' hearts

By Hank Wesch, STAFF WRITER

4154

In what turned out to be a heck of a fight, San Diego State defeated USD by a technical knockout last night at the Jenny Craig Pavilion.

As in technical foul — on USD coach Brad Holland — with 31.2 seconds to go that provided the Aztecs' final two points in a 66-63 decision, SDSU's second straight victory in the series and first in a game on the USD campus since 1975.

Referee Dave Libbey flashed the "T" sign at Holland after USD, trailing 64-63, had missed a chance to go ahead when Toreros center Brice Vounang was unable to get a shot off in a forest of flailing bodies.

Holland thought Vounang had been fouled and expressed his opinion to Libbey after a USD foul had caused a stoppage of play.

"You tell me why I got a technical," a livid Holland steamed to the gathered media afterward. "I didn't swear at him, I didn't make any gesture. All I said was, 'Dave, that was a foul...'"

"In all my years of coaching I've never seen a technical call like that. Not with 30 seconds left in the game."

K SEE Aztecs, D5



## ► AZTECS

CONTINUED FROM PAGE D1

### Toreros' rally K can't bring off upset of rivals

Libbey declined a request to give his explanation after the game.

The technical provided a weird dramatic moment to a game that was almost surreal in the way it developed. SDSU, getting 27 points from Brandon Heath and 10 from Tommy Johnson, led by 20 points, 49-29, 3:07 into the second half.

But USD, with senior reserve guard Brad Lechtenberg hitting five straight three-pointers, including three in as many possessions, came back to briefly gain leads of 60-59 and 63-61.

A Heath three-pointer with 1:40 remaining put SDSU (4-2) back on top 64-63 before things got overly technical for the Toreros (1-5). But even with Heath cashing two free throws on the technical, USD had a chance to tie.

Lechtenberg, whose five three-pointers and 15 points were career highs, missed his final attempt with 10 seconds remaining.

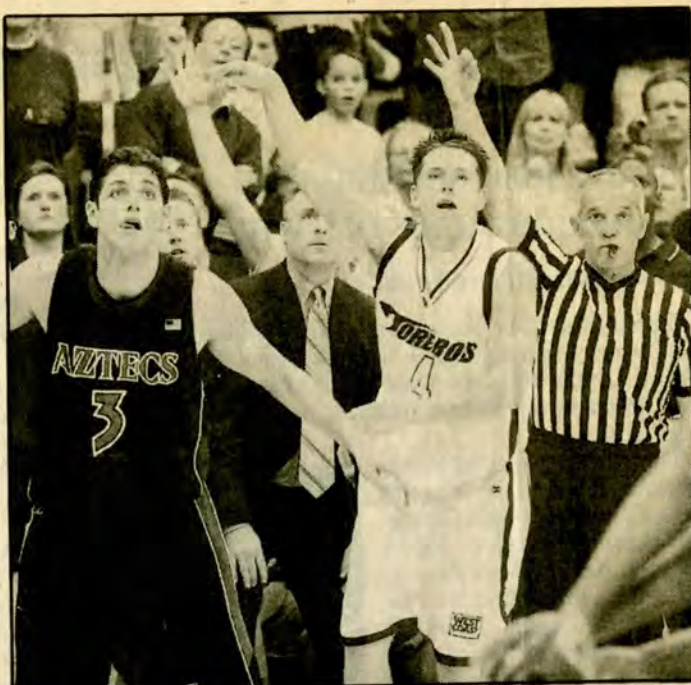
"We knew they would make a run, but 20-2 is a little more than a run," Heath said. "We just kept saying to maintain our composure until we get back in sync."

Heath showed extraordinary composure for a freshman in canning the three-pointer to put SDSU in front for good.

"I'm getting more and more comfortable with the idea of taking big shots," Heath said.

The game not only had the markings of an SDSU blow-out, it was one when the Aztecs went on a 9-0 run after giving up the first basket of the second half to open a 49-29 lead with 16:53 to play.

Then, at what seemed the most unlikely of times, a USD side that had to that point shown great difficulty in bounding the ball, never mind scoring, rebounding, etc., suddenly made a game of it.



SDSU's Chris Walton (3) and USD coach Brad Holland (in tie) watch Brad Lechtenberg's three-point attempt, which missed with less than 30 seconds remaining. *Jim Baird / Union-Tribune*

"This is basketball," said SDSU coach Steve Fisher. "You see teams with 20-point leads and the next thing you know the other team is going on a 17-2 run."

"We got tight. When they made their run, we were looking at the clock and hoping it would run faster. We missed a dozen little shots inside that, when you make them, you build a 20-point lead."

"When you don't, you blow a 20-point lead."

Lechtenberg, who had been struggling with his shot all season, said Holland took him aside at halftime and advised him to "get some confidence."

"He said I was as good a shooter as he's had and I just needed to get some confidence in my shot," Lechtenberg said. "Once you get in a groove and get comfortable, the confidence comes."

SDSU found the range from the perimeter soon after the opening tip and hit 7-of-14 first-half three-pointers in taking a 40-27 lead at the break.

The Aztecs also took advantage of free throw opportunities, cashing 11-of-12 while USD missed 5-of-6.

Heath led the Aztecs' trey shooters, making all three of his first-half attempts in scor-

#### SUMMARY

##### San Diego State 66, USD 63

SDSU	Min	FG-A	FT-A	R	A	F	Pts
Stokes	36	2-8	2-2	1	5	2	7
Walton	33	3-7	0-0	5	0	2	7
Sanders	29	3-11	2-2	9	2	2	8
T.Johnson	31	3-8	3-4	3	3	3	10
Heath	37	9-13	5-6	1	1	1	27
Sharper	12	0-2	0-0	1	1	1	0
Manker	12	1-1	0-0	4	0	4	3
Slaughter	10	1-4	2-2	4	0	3	4
<b>Totals</b>	<b>200</b>	<b>22-54</b>	<b>14-16</b>	<b>35</b>	<b>12</b>	<b>18</b>	<b>66</b>

Percentages: FG .407, FT .875. 3-Point Goals: 8-18, .444 (Heath 4-5, Manker 1-1, Stokes 1-2, Walton 1-2, T.Johnson 1-5, Slaughter 0-1, Sharper 0-2). Team Rebounds: 7. Blocked Shots: 5 (Sanders 3). Turnovers: 16 (Heath 5). Steals: 6 (Stokes 2, Sanders 2, Heath 2). Technical Fouls: None.

USD	Min	FG-A	FT-A	R	A	F	Pts
Lewis	33	4-6	2-4	9	4	3	10
Vounang	36	10-20	1-1	6	1	3	21
Melton	33	3-7	0-0	2	1	1	8
Hubbard	30	3-5	0-1	3	4	1	6
McGrain	35	1-7	1-5	8	8	4	3
Sane	11	0-2	0-0	1	0	3	0
Lechtenberg	22	5-8	0-0	0	0	0	15
<b>Totals</b>	<b>200</b>	<b>26-55</b>	<b>4-11</b>	<b>31</b>	<b>18</b>	<b>15</b>	<b>63</b>

Percentages: FG .473, FT .364. 3-Point Goals: 7-15, .467 (Lechtenberg 5-8, Melton 2-4, Lewis 0-1, Hubbard 0-1, McGrain 0-1). Team Rebounds: 2. Blocked Shots: 3 (Lewis 2). Turnovers: 15 (Hubbard 4). Steals: 8 (Lewis 2, Melton 2, Hubbard 2). Technical Fouls: Vounang, Team.

San Diego State (4-2)	40	26	-	66
USD (1-5)	27	36	-	63

A-5,100. Officials—David Libbey, Thomas Wood, Frank Harvey III.

ing 13 points. Vounang, who finished with 21 points and six rebounds, led all scorers in the half with 15 and his inside work (7-for-11) kept the Toreros from being blown out in the first 20 minutes.

SDSU opened a 16-6 lead in the first 7:35 and had a 16-point advantage, 38-22, before being outscored 5-2 in the final minute.



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## LOCAL COLLEGES

# USD wins second in row

UNION-TRIBUNE

4154

The USD women's basketball team won its second straight game, a 77-57 victory over Oral Roberts at Jenny Craig Pavilion last night.

Despite playing their second game in as many days, the Toreros managed to build a 12-point halftime lead into a 20-point victory thanks to strong shooting from all over the floor.

"We handled their pressure better in the second half," said USD coach Kathy Marpe. "We closed people out."

Senior Marta Menuz was dominant inside, scoring a team-high 21 points with nine rebounds, while sophomore

guard Brandi Collato was dangerous on the perimeter. The Santa Fe Christian grad made all five of her three-point attempts on her way to 18 points.

The win was the Toreros' third in four games.



SAN DIEGO UNION-TRIBUNE

SAN DIEGO, CA  
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# USD women measure up OK in loss to USC

By Nicole Vargas, STAFF WRITER

LOS ANGELES — Less than a week separated the USC women's basketball team's near-upset of top-ranked Connecticut from its meeting with USD yesterday.

And while the Toreros were unable to upend their latest, and perhaps most talented, opponent, USD coach Kathy Marpe left the Los Angeles Sports Arena pleased with what she saw on the floor.

**USD  
82**

**Toreros (w)  
65**

"My biggest fear was losing by 30, 40 points," said Marpe, whose team dropped an 82-65 decision to the Women of Troy in front of 505. "I didn't feel like we were ever out of the game."

Much of that was due to the sophomore quartet of Lindsay Helvey, Jamie Corwin, Brandi Collato and Tiara Harris, who combined to give the Toreros the added depth they need to keep up with strong, athletic opponents such as USC (2-3).

"We're starting to find our flow," said Helvey, who made her second straight start. "We're getting used to each other on the court, and with each game we're going to get better."

In starting roles, Helvey and Corwin scored nine and 12 points, respectively, while Helvey finished with a team-high five rebounds. Helvey, along with Harris, also shared the job of bringing the ball up the court and starting the offense with point guard Polly Dong, who dished out six assists but was one of four players whose playing time was lessened because of foul trouble.

"We have to continue not to get ourselves into foul trouble," said Marpe, who limited the play of senior forwards Marta Menez and Melissa Padgett to a combined 45 minutes. "But what I like was that a lot of people stepped their game up."

That allowed USD (2-6) to cut USC's lead to 12 when Collato made her two free throws for the night with 10:30 remaining. The Women of Troy, though, wouldn't let the Toreros get any closer, thanks to a pair of threes by sophomore Meghan Gnekow.

Gnekow and junior Rachel Woodward proved to be the keys for USC offensively, especially considering 6-5 center Kim Gibson fouled out midway through the second half after scoring just two points. All-America candidate Ebony Hoffman was held to 14 points, two shy of her average of 16 points per game and one less than she scored against UConn.

The Women of Troy did most of their damage by capitalizing on the Toreros' turnovers. USD finished with 32 turnovers, compared to only 20 by USC.

"The little things made the difference in this game," Marpe said.





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# Toreros rally past Aztecs

By Nicole Vargas  
STAFF WRITER

415M

Ask USD women's basketball coach Kathy Marpe and she'll say last night's game against San Diego State was just like the rivalry games of the past — gritty, down-to-the-wire affairs that were won in the end by the team that wanted it more.

**Toreros**  
**65**  
**Aztecs (w)**  
**60**

This one, though, came with one difference.

The Toreros took home their second straight win over SDSU, 65-60 at Cox Arena — the first time USD has won back-to-back games over the Aztecs (3-3).

"My players knew how important it was to me," said Marpe, whose team had dropped 24 of 25 contests to SDSU before winning the last two. "I've endured a lot of losses in my career (to the Aztecs). To say it's sweet to win two in a row is an understatement."

The result brought with it a major morale boost for USD (2-5), which ended its losing streak at four games going

into this weekend's trip to USC.

"That's exactly what we needed," said Toreros senior Marta Menuz, who finished with a team-high 17 points. "That was Toreros basketball."

In each of its last four games, USD saw a strong first-half performance take a turn for the worse in the second half. Last night, it was SDSU that got off to a good start, jumping ahead by as many as 14 with 2:37 left in the first half.

"We executed extremely well to start the game," said Aztecs coach Jim Tomey.

Much of that was due to the hot hand of freshman point guard Courtney Fritz, who made 6-of-8 shots in the first half, including 3-of-4 three-pointers, and accounted for 16 of the Aztecs' 28 points going into halftime.

USD, though, came alive in the final 2½ minutes, taking off on a 11-2 run to close the half down 28-23.

"We turned our intensity up," said Menuz. "We knew we could play with these guys. We just had to kick it up



USD's Ashley Voisin (left) passes the ball past SDSU's Jessica Huettl in last night's game. Fred Greaves

a notch."

Instead of shouldering the pressure of SDSU in the paint, Menuz started dishing the ball out to the weak side. While that opened up the shots for the Toreros offense, Tomey said USD's change defensively from man-to-man to a zone exposed the weaknesses of his young team.

While the Toreros' shooting percentage jumped from 9-of-27 (33.3 percent) in the first half to 14-of-29 (48.3) in the second, the Aztecs fell from 11-of-26 (42.3) to 11-of-36 (30.6). SDSU would also make only one more three pointer in the second half, while USD would put in four in the same stretch.



**SAN DIEGO UNION-TRIBUNE**

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## Toreros lose in double OT

4154  
FROM STAFF AND WIRE REPORTS

The USD women's basketball team played a better second half than it had in its previous two games and pushed visiting New Mexico State to two overtimes, but it wasn't enough as the Aggies won 79-75 at Jenny Craig Pavilion last night.

Three Toreros — Marta Menuz, Brandi Collato and Lindsay Helvey — finished in double figures, but USD had 38 turnovers and was out-rebounded 17-6 on the offensive end.

Menuz scored 36 points, while Collato had 18. Melissa Padgett had 14 rebounds.

— NICOLE VARGAS

### **NO. 2 FLA. 59, CENTRAL FLA. 39:**

Matt Walsh scored 19 to lead the 4-0 Gators in Jacksonville.

### **NO. 8 TEXAS 103, WOFFORD 72:**

Brandon Mouton scored 20 to lead Texas (4-0) to its 19th straight win at home.

SEATTLE TIMES

SEATTLE, WA  
SATURDAY 219,265  
DEC 13 2003



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# Bainbridge solves Blanchet puzzle

## No. 6 Spartans finally top Braves

4154  
BY JOHN BOYLE  
*Seattle Times staff*

One and 11 never felt so good.

Having never beaten Bishop Blanchet in her coaching career, Bainbridge coach Penny Gienger had plenty to be happy about after last night's 55-48 Metro League girls basketball win at Blanchet last night.

The sixth-ranked Spartans (6-0 overall, 4-0 league) stayed undefeated and in first place in Metro's Mountain Division.

"Well, since it's my first win ever

## METRO LEAGUE GIRLS

against Blanchet, I think it's really big," said Gienger, in her 12th year as Bainbridge's coach. "It's nice to finally beat them."

Bainbridge senior Alice Russell, a University of San Diego recruit, had a game-high 21 points and 11 rebounds, outdueling future USD teammate Michelle Augustavo, who led Blanchet with 15 points.

"Before the season, this was a game we really, really wanted to win," said the 6-foot-1 Russell. "Coach really wanted this one and we wanted to give it to her. Everyone

really came together as a team tonight."

After trailing throughout the first three quarters, the ninth-ranked Braves (3-2, 1-2) went on an 8-2 run to tie the score 43-43 with five minutes to play on a pair of Mia Papasedero free throws.

That's when sophomore guard Allie Picha took over, scoring seven of her nine fourth-quarter points in the game's final 3½ minutes, leading the Spartans on a game-clinching 12-5 run. Picha finished with 13 points.

"Allie was big for us in the fourth quarter," said Gienger. "They went on a run and we held tight. It was a great game on both sides."

Blanchet stayed close, but could never take the lead.

"We were about 0 for 72 from the field," said Blanchet coach Terry Wilkinson, whose team was actually 16 for 51 (31 percent). "We got good shots all night but just didn't hit them."

Jena Walentoski provided most of Blanchet's fourth-quarter offense, scoring nine of her team's 13 points.



# USD's Bernardin making most of second chance

By Nicole Vargas  
STAFF WRITER

4154  
Little glory comes in playing libero, a down-and-dirty defensive position less about stats and more about saves. But USD's Jackie Bernardin wouldn't want to play anywhere else on the volleyball court.

"It's the best feeling to dig a hard ball," said the 5-foot-6 Bakersfield native. "I love it."

Bernardin, a sophomore, can't put into words the fun that comes from teammates driven to win. She gushes about her coaches, whom she credits with making her 100 percent better than she was as a freshman playing at Texas. And she beams with pride as she talks about her personal cheering section, which includes her parents, Jacque and Patty, and her 10-year-old sister, Caitlin.

Instead of soaring stats, "I try to bring energy and spirit and sparkle to the court," Bernardin said.

And yet, it wasn't that long ago that Bernardin thought she had lost her passion for volleyball for good.

"(Coming to USD) was my last chance," Bernardin said. "I am so happy I took it."

It was only three months ago that Bernardin's future was uncertain. Although she had been granted a release from her scholarship at Texas after a year that she says was not a good experience, Bernardin wasn't ready to leave college volleyball altogether.

But as the summer dragged on, her options became fewer and fewer.

Then, one week before the season was to start, Bernardin got a call from USD. A scholarship had opened up, and the

Toreros wanted her.

"We watched her play as a (high school) senior and thought very highly of her," USD coach Jennifer Petrie said. "We always thought she was a person who could make a big impact."

Within a week, Bernardin said, she was back to her old self and ready to show her appreciation for what she says was her last chance at a college volleyball career.

"They made me fit in and feel comfortable," Bernardin said. "I knew this was the school for me, and that let me play my game."

While Bernardin was among the West Coast Conference's dig leaders (3.55 per game), there was more to her as a player that couldn't be quantified in statistics.

"Good defense can really ignite a team," Petrie said. "Definitely she's a spark."

Petrie and the Toreros, though, weren't the only ones who noticed. At the end of the season, Bernardin was named West Coast Conference Co-Defensive Player of the Year.

"I just try to do my job, so I was flattered," Bernardin said. "There's some great defenders in this conference. It is a great honor, and I hope I can get it again the next two years."

The season, though, isn't over yet. Despite dropping six straight matches to close the regular season, USD will make its seventh NCAA tournament appearance in eight years tonight when it faces No. 8 UCLA at Pauley Pavilion.

"It's rough waking up and working hard and still losing matches," Bernardin said. "That has definitely kindled some fires in the players. We're very, very motivated. We're ready for (UCLA)."



**Jackie Bernardin, the West Coast Conference Co-defensive Player of the Year in volleyball, needs the knee pads as she goes low for a ball in practice. *Howard Lipin / Union-Tribune***



SAN JOSE MERCURY NEWS

SAN JOSE, CA  
WEDNESDAY 276,787  
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## 2 LONGTIME STARTERS PACE LANCERS

By Mark Gomez  
*Mercury News*

4154

It may take awhile before Jessica Gysin and Diane Copenhagen — St. Francis' two volleyball standouts who will soon be playing for top-ranked USC — fully appreciate the magnitude of their most recent achievement.

The two four-year starters sparked St. Francis (28-5) to its fourth consecutive state final by beating visiting Redwood of Larkspur 25-20, 25-8, 25-13 in Tuesday's Northern California Division III final.

Now Gysin and Copenhagen will attempt to win a fourth state final Saturday at Cypress College in Norwalk. The Lancers, ranked No. 16 in the nation, will play the winner of the Southern California final between Rancho Santa Margarita and University of San Diego.

"They're still in the midst of it, so they might not see it right now, but that is absolutely amazing," Coach Kim Oden said. "That's just crazy. But it speaks to the level of players

that we have; they're just phenomenal. They're not normal at the high school level."

Following the win, the final home game for the Lancers' seven seniors, their accomplishment was still sinking in.

"It's an amazing opportunity to go down there and play for a fourth year in a row," said Copenhagen, who earned MVP honors at last year's state final. "We'll just play our hearts out and hope for the best."

The Lancers were tested early, and at one point in the first game trailed 16-14. But St. Francis pulled away by feeding the 6-foot-3 Copenhagen with nice sets, who in turn blasted shots that were unreturnable. Copenhagen, who finished with a game-high 15 kills and three blocks, recorded a handful of kills by drilling shots from mid-court.

"Diane has been doing a fantastic job this entire season," Oden said. "Tonight was right on par with that. She was just on fire, hitting and blocking."

The Lancers carried that

momentum over and breezed through the second game, sparked this time by Gysin. The preseason All-American found her rhythm and recorded several of her 11 kills. Her ferocious jump serve also caused problems for Redwood, which struggled to create off those serves.

"Jessica just found her rhythm, and we were able to get the ball to her, and she did some very good things," Oden said.

Gysin said the seniors wanted their final home game to be memorable.

"We picked it up in the second game," Gysin said. "We just said this is our last game ever on our home court, so let's make it meaningful. Let's make it fun."

St. Francis' senior setters Christa Conom and Ashley Dutro, who will play at UC-Irvine and UC-Santa Barbara, also combined for 31 assists.

"We couldn't ask for anything more," Copenhagen said. "Everything just clicked tonight."

SAN DIEGO UNION-TRIBUNE

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## USD women selected for volleyball NCAAs

4154

**By Nicole Vargas**  
STAFF WRITER

After a week of awaiting word, the USD women's volleyball team can breathe a little easier.

The Toreros were one of 33 teams to receive at-large berths in the NCAA tournament's 64-team field, announced yesterday.

The Toreros (17-12) will play eighth-seeded UCLA (21-8) on Friday in Los Angeles.

USD, which will be making its seventh NCAA appearance in eight years, was among a record six West Coast Conference teams selected. Only the Big Ten had more (seven).

The Toreros were ranked as high as 16th in the nation this season, and although they finished with six straight losses, five were to other WCC teams that qualified for the NCAAs. The sixth was to San Diego State, which did not receive a postseason invitation.

The NCAA championship match is Dec. 20 in Dallas.

USD had six players selected All-WCC this year, including sophomore Jackie Bernardin, only the second player in USD history to be named WCC Defensive Co-Player of the Year.

Junior Devon Forster was named to the All-WCC first team for the third consecutive season.





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# Aztecs get recruiting coup, land blue-chip QB Mougey

By Kevin Acee  
STAFF WRITER

He had leaned toward San Diego State from the beginning, then stepped back and reassessed. In the end, Darren Mougey went back to where he felt comfortable.

And SDSU landed the guy who could be its quarterback of the future.

"All along I felt that was the best situation for me," Mougey said last night after committing to SDSU. "I got along great with the coaching staff. They were one of the early offers... We've been going over every summer since I was young and going over for (football) camp and staying in the dorms since I was in high school."

Mougey, a 6-foot-4, 215-pounder out of Chaparral High in Scottsdale, Ariz., was the most coveted of SDSU's recruits in a class that could top even last year's group, rated the best in the Mountain West Conference and 38th in the nation.

Aztecs head coach Tom

Craft is prohibited from commenting on recruits until they sign a national letter of intent in February. However, Mougey is expected to compete with Matt Dlugolecki and Kevin O'Connell for the starting job next fall.

"I'm excited about it," Mougey said. "... There's a lot to pick up. (The coaches) have also said if I'm not ready they're not going to force me into any situation."

Mougey's ability to run as well as throw could add a dimension to Craft's wide-open offense. Rarely playing in the fourth quarter because his team typically had large leads, Mougey completed 95-of-141 passes (67 percent) for 1,733 yards this season. He threw for 26 TDs and was intercepted just twice. He ran for five TDs.

"Mentally, he could handle it," his high school coach, Ron Estabrook, said of Mougey starting as a true freshman. "He does well working under competition. He thrives on it."

Mougey has reportedly been clocked at 4.45 in the 40, and

Estabrook said he throws 60 yards in the air "with accuracy." He is a two-time all-state selection and is rated by Rivals.com as the nation's 19th-best dual-threat QB.

Mougey said his decision came down to SDSU and Vanderbilt. He also mulled offers from Arizona State and Utah. Arizona and Penn State also showed recent interest.

## Toreros QB honored

USD senior quarterback **Eric Rasmussen** was named to the American Football Coaches Association Division I-AA Coaches' All-America Team.

Rasmussen led I-AA in passing for the second straight year and set Toreros single-season marks in passing yards (2,982), completions (195) and TDs (35). He finished the season with just three interceptions in 318 attempts. He is USD's career leader in attempts (851), completions (512), TD passes (75), passing yards (7,487) and completion percentage (.602).



# SACRAMENTO BEE

SACRAMENTO, CA  
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## Gagliardi won first national title at Hughes

**T**om Landry coached in one of his first games at Hughes Stadium, with the Dallas Cowboys. He was dapper, stern, determined in an era when the home for Sacramento City College annually hosted NFL exhibition games to drum up interest.

**Al Davis** coached at Hughes, with the Raiders, dapper, stern, no doubt scheming some sort of legal battle.

**Curly Lambeau** coached in his last game at Hughes, in 1954. He had led the Green Bay Packers to six NFL titles, but he didn't find much luck leading the Washington Redskins. He went 10-13-1 in his first two seasons with the 'Skins, and a 30-7 loss to the 49ers in an exhibition game was enough to prompt club owner **George Preston Marshall** to fire him, in the lobby of the old Senator Hotel.

Lambeau didn't coach in the NFL again.

Nine years later, a young, not-so-dapper fellow who preferred to wear a heavy parka won his first national championship, in the fog at Hughes. The 1963 Camellia Bowl included St. John's of Minnesota and coach **John Gagliardi**, whose Johnnies downed Prairie View A&M 33-27 at Hughes to claim the NAIA championship. It was college football's first matchup of an all-white team and an all-African American team. Prairie View included future Kansas City Chiefs star **Otis Taylor** and eventual Hall of Famer **Kenny Houston**.

### HOME COOKIN'

By Joe Davidson

Gagliardi kept on winning, right up to Saturday when St. John's stunned Mount Union 24-6 in the Division III national championship in Salem, Va., in the Amos Alonzo Stagg Bowl. Gagliardi, 77, passed **Eddie Robinson** of Grambling as the winningest college football coach earlier this season and is 414-114-11 overall. Mount Union had won an NCAA-record 55 consecutive games and 109 of its previous 110.

Gagliardi told reporters Saturday that he relishes each of his four titles, from Hughes to now. He said that retirement and riding ~~the sunset~~ the sunset is something ~~old people~~ do.

"I don't even know where the sunset is," he said, adding that his latest title will ~~never rate~~ "right up there with when I win the lottery."

### Recalling Wilson, Dreher

The death of revered Elk Grove High School counselor and football and basketball coach **Jim Wilson** last week was the second devastating loss of a teacher-coach at the school in seven years. **Gary Dreher**, considered a guru of a baseball coach and just as shrewd as a mathematics teacher, died of complications from a stroke in 1996. He was 47.

Dreher coached in his last game earlier in the day, a 6-0 loss to Cordova. In an interview

the same day, he spoke about pursuing another championship, about the joys of coaching his son **Michael** two seasons earlier, about retiring from coaching to spend more time with his wife, **Johnna Colleen Wilson**, the wife of Jim Wilson, recalled a story when she frantically was searching for her husband in 1996 to report a serious illness in the family.

"Gary was wonderful," she said. "He walked up to me, comforted me and helped me find Jim. I'll never forget what he did for me."

Colleen Wilson said she plans to get in touch with Johnna to share their grief. Michael, by the way, did his old man proud by getting into education. He's a Spanish teacher at Sheldon High, where the baseball coach, **Chris Terry**, is another former Dreher pupil.

### Et cetera

**Eric Rasmussen** was named to the American Football Coaches Association Division I-AA All-America Team after the El Camino High product led the University of San Diego to an 8-2 record and led Division I-AA in passing efficiency with a staggering 174.5 rating. He threw 35 touchdown passes with just three interceptions as a senior.

• The voice mail was clogged from fussing and cussing Oak Ridge High folks who thought we slighted **Tyler Ecker** as a Sacramento-area starter for an upcoming bowl game. In truth, Ecker, the former Oak Ridge

great, remains the third-string tight end for Michigan, though the promising sophomore has seen a bit of action with four receptions for 67 yards. No. 4 Michigan takes on top-ranked USC in the Rose Bowl on Jan. 1.

• **Geoff Blumenfeld** of Granite Bay High is healthy again after hurting his hip in a game, and he'll do the kickoffs for Navy in the Houston Bowl against Texas Tech on Dec. 30. Navy is 8-4 after going 2-10 in 2002 and claimed the Commander in Chief Trophy awarded to the winner of the matchups of the three service academies, the school's first such achievement since 1981.

• **David Palmer** from Yuba City High and American River College is averaging 13.9 points a game as a senior forward for Southern Utah, including games of 33 against Denver and 18 against BYU. The Thunderbirds are 4-5 after Monday night's loss to Stanford.

• Former SCC basketball stars **Aaron Haynes** and **Jamin Trost** have played well at their four-year schools. Haynes, a starting forward, is scoring 11 points a game for Boise State, which moved to 8-1 this season after downing Oregon State 82-80 on Saturday, with Haynes scoring 13. Trost, a reserve guard, is scoring nearly eight points a night for Upper Iowa (4-4).

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The Bee's Joe Davidson can be reached at (916) 321-1280 or [jdavidson@sacbee.com](mailto:jdavidson@sacbee.com).



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**HIGH SCHOOL REPORT**

# Escondido back's running record revised downward by two yards

UNION-TRIBUNE

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Escondido High running back Darrick Jackson's record-setting performance against Hilltop in Friday night's opening round of the San Diego Section Division II playoffs has been readjusted from 410 yards to 408.

According to Cougars coach Paul Gomes, Jackson's rushing total was reduced to reflect yardage lost because of a fumble.

Jackson eclipsed the section record of 382 yards set by Helix's Jason Van in 1999. Jackson also tied a section record with seven rushing touchdowns.

## Mavericks' college plans

La Costa Canyon soccer players McKenna Stark, Natalie Elkind, Courtney Young and Katie Culp have announced their college plans.

Stark, the Mavericks' top scorer last year with 11 goals, will continue her career at USD.

Also recruited by UCLA, Tennessee, Baylor and UC Davis, the senior forward maintains a 3.5 GPA.

Elkind, a three-sport athlete who carries a 4.03 GPA, will play at Washington State.

Young, a team captain last year, is bound for Pepperdine.

Culp, the 2003 Surf Cup MVP, will play at Denver. Culp is recovering from a knee injury and plans to return to the field in January.

## Trio headed to UC Davis

UC Davis has signed three local girls to its women's lacrosse program. La Costa Canyon's **Jamie Clave** and **Lindsay Messina** will join Mt. Carmel's **Ranessa Santos** on the Aggies squad next fall.

Clave, who led the Mavericks in scoring her sophomore and junior years, was one of only two juniors to earn *Union-Tribune* all-section honors in 2003.

Messina made the *Union-Tribune* All-Academic Team last season, while Santos earned all-section accolades as a junior defender. Santos has twice made the Pacific Regional Team that participates annually at the US Lacrosse Women's National Tournament.

## Other college signings

University City's **Brittany Rowe** has signed a letter of intent to play water polo at UCLA. Rowe, a member of the *Union-Tribune* All-Academic Team, helped the Centurions to the Division II semifinals last year.

La Costa Canyon's **Bucky Coe** will play golf at USD. Coe came in 38th at the Callaway Junior World Golf Championships earlier this year. He was also recruited by Notre Dame and New Mexico.

Rancho Bernardo swimmer **Hannah McClurg** has committed to Wisconsin. McClurg is an All-America freestyler who holds three San Diego Section records.

Staff writers **Mick McGrane** and **Nicole Vargas** contributed to this report.